



A D D R E S S

OF

HIS EXCELLENCY JOHN A. ANDREW,

TO THE

LEGISLATURE OF MASSACHUSETTS.

TOGETHER WITH

ACCOMPANYING DOCUMENTS,

JANUARY 8, 1864.



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HIS EXCELLENCY

J O H N A. A N D R E W,

TO THE

TWO BRANCHES

OF THE

Legislature of Massachusetts,

JANUARY 8, 1864.

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ADDRESS.

GENTLEMEN OF THE SENATE AND

OF THE HOUSE OF REPRESENTATIVES: —

At the beginning of a year which opens full of Hope for our Country and for the cause of humanity succeeding one of great struggle but of unexampled moral and military progress, we cannot fail to remember the religious origin of our Commonwealth, nor to perceive in the workings of that experience by which we have been led through mutations of necessary trial up to the heights of many a victory, the ways of an Infinite Intelligence and Love.

The interest of a subject so fascinating to the imagination, so exciting to the intellect, and so winning to the heart, attracts us to the consideration of our political condition and National opportunities, illumined by a Celestial Light. But we can pause only for the moment, while we pay our vows at the altar of a new consecration, before we advance to the study of our more immediate tasks in the sphere of government.

I propose attempting to unfold in this Address, the external history (if I may so express it,) of the relation of our Commonwealth to the movements in which she has borne a part, and those material conditions to her future usefulness of which legislation can take cognizance.

Finances.

The vigor of our fiscal condition is due to the fearless integrity with which preceding legislatures have regarded the financial wants and resources of the State. Adapting means to ends, they have taxed these resources sufficiently to create revenues adequate to our duties and necessities. It will become your office, gentlemen, with equal confidence in the intelligent patriotism of the people, in like manner to require such material contributions to the common treasury as the public good may require, with the least possible resort to permanent loans or any of the expedients of delay.

The receipts and payments of the State Treasury during the year 1863, have been as follows, viz. :—

RECEIPTS.

State Tax, 1862, ...	\$34,405 38
State Tax, 1863, ...	2,392,344 00
Bounty Tax, 1863, ...	3,324,274 74
<i>Amount carried forward, . .</i>	<i>————— \$5,751,024 12</i>

<i>Amount brought forward,</i>	.	.	.	.	\$5,751,024 12
Bank Tax, 1863,	.	.	.	.	\$646,728 89
Savings Bank Tax, 1863,	.	.	.	.	400,080 01
Insurance Tax, 1863,	.	.	.	.	122,213 90
					1,169,022 80
Other sources,	.	.	.	.	309,776 26
					\$7,229,823 18

PAYMENTS.

Executive Department,	.	.	.	.	\$26,083 31
Secretary's Department,	.	.	.	.	18,510 69
Treasurer's Department,	.	.	.	.	8,666 06
Auditor's Department,	.	.	.	.	7,082 72
Attorney-General's Department,	.	.	.	.	16,344 92
Bank Commissioners,	.	.	.	.	8,002 58
Insurance Commissioners,	.	.	.	.	5,461 06
Agricultural Department,	.	.	.	.	30,460 69
Sergeant-at-Arms, &c.,	.	.	.	.	14,959 63
Judiciary Department,	.	.	.	.	155,048 62
Legislative Department,	.	.	.	.	162,377 14
Adjutant-General's Department,	.	.	.	.	161,478 68
State Aid and Reimbursement of					
Bounties, &c.,	.	.	.	.	5,116,032 19
Miscellaneous,	.	.	.	.	212,702 64
Charitable,	.	.	.	.	293,663 94
Correctional,	.	.	.	.	83,948 96
Interest,	.	.	.	.	407,773 87
					\$6,728,597 70
Surplus receipts,	.	.	.	.	\$501,225 48

Back Bay Lands.

The net proceeds of sales of the Back Bay lands during the past year, (419,269 sq. ft.) is \$857,925.23.

The total net amount from the beginning, (1,190,440 sq. ft.) is \$2,017,800.

There have been paid for educational purposes, and funded for the public schools, out of these proceeds, the following sums, viz. :—

INSTITUTION.	Amount of Grant.	Amount paid in 1863.	Total amount paid.
Museum of Comparative Zo- ology, ...	\$100,000 00	\$67,135 33	\$87,792 33
Tufts College, ...	50,000 00	37,606 00	50,000 00
Williams College, ...	25,000 00	18,803 00	25,000 00
Amherst College, ...	25,000 00	18,803 00	25,000 00
Wilbraham Academy, ...	25,000 00	19,101 04	25,000 00
School Fund, ...	—	279,457 88	297,079 80
	\$225,000 00	\$440,906 25	\$509,872 13
There has been paid into the treasury, for redeeming land scrip, (in full,)			220,000 00
There has been paid into the treasury, for redeeming public debt, (under chap. 235, Acts 1856,)			300,000 00
			\$1,029,872 13

The value of land unsold, but filled and the filling paid for, is estimated at \$1,500,000.

There remains less than \$13,000 to be paid the Museum of Comparative Zoölogy, to complete the grant of \$100,000 made to that institution. I trust that having wisely devoted to it a liberal sum, helping to establish one of the most celebrated museums of natural history in the world, the Commonwealth will with similar wisdom help to render it available for

the instruction of the people. Classes from the normal schools and advanced classes from other schools might derive the highest benefits from resorting to the Museum and studying the specimens, aided by the lectures of its distinguished head and his assistants. How to see, how to study, not merely how to learn by rote and others' thoughts, but how to think, and thus to contribute of ourselves to science and learning, is the grand problem of education.

The Boston Society of Natural History, having completed its new building on the land granted by the Commonwealth on the Back Bay, is now arranging its museum. A fresh impulse has been given to the society by its new accommodations, and much benefit may be expected to public education from its large and growing collections.

The Massachusetts Institute of Technology, having complied with the conditions of the Act allotting to its use a portion of the Back Bay lands, has commenced an edifice designed especially for the School of Industrial Science, which will accommodate the Museum of Arts and Manufactures until a building shall be erected at the western end of the assigned space corresponding to that of the Society of Natural History. The Institute has formally accepted the Act of the Legislature assigning to its use a portion of the fund

accruing from the Congressional grant of public lands for the benefit of agriculture and the mechanic arts. Besides its operations as a society of arts, the Institute is preparing to open courses of practical instruction and to begin the organization of its industrial museum. The liberality which has enabled it to pursue its plans of practical education is evidence of the wise foresight that accompanies the patriotic activity of the people, and is a guaranty of expanding usefulness.

Military Bounties—State Aid.

By chapter 91 of the Acts of 1863, the Governor was "authorized to offer and pay bounties, not exceeding the rate of \$50 each, to volunteers for the military service of the United States who may hereafter enlist and be duly mustered into the said service during the present war," and by chapter 254 of the Acts of 1863, passed at the extra Session, November 18th, the bounty was increased to \$325 in hand, or, at the election of the volunteer, \$50 in hand with a monthly pay or bounty of \$20 during the term of service, to be paid to each *volunteer* who has been or hereafter shall be mustered into the military service of the United States.

Drafted men are clearly not included in the provisions of either of these statutes. It has been con-

tended, however, that *substitutes* for drafted men, as being *volunteers*, are therefore within the terms of the statute, and although a strictly literal interpretation of the law might authorize the payment of this bounty to them, yet I have not thought that such was the true intent of the Act. I have been unwilling so to construe its provisions that a person who has declined to *volunteer* in his own behalf, but has reserved himself in order to *sell out* to some drafted citizen, should receive from the Commonwealth the bounty originally offered by her to the volunteer, but denied to the drafted man in whose shoes the substitute stands. Nor have I believed it to be politic to accord to that class of soldiers known as substitutes, a favor not granted to the citizen who obeyed the call of his country by rendering his own personal service when drafted. The statute alluded to *authorized* the Governor to pay such bounties, but did not make it *imperative* on him. I respectfully lay the matter before you for such action as may seem expedient.

Under this statute, another question has been frequently raised whether the Commonwealth could lawfully recognize *orders* given by volunteers to third parties prior to their own muster into the service of the United States. I have been unable to put such a construc-

tion upon this Act as to authorize me to recognize such orders. By the terms of the Act, the bounty is to be paid to volunteers who "shall enlist and be duly *mustered* into the military service of the United States," so that no man can lawfully be paid who is not *mustered*, and it is obvious that to accept such orders in advance of muster is, in effect, to pay the bounty prior to muster, thus creating the very mischief which, by making the muster-in a condition precedent to the payment of the bounty, the Legislature intended to avoid. It is evident that if a volunteer, having received an advance from a third party, on such an order, should subsequently repudiate his obligation, should desert, avoid or refuse muster, or should be rejected by the mustering officer when offered for muster, the paymaster, under such circumstances, would have no right to pay him, and the lender must sustain a loss; and if such advance had been made under the sanction or approval of the Governor, the lender would have just cause of complaint that such encouragement had tended to mislead him.

I am clearly of opinion that the provisions of the Legislature in this Act were, in this respect, prudent not less to prevent the fraud, oppression and cruelty practised upon recruits, than to prevent a wrongful depletion of the treasury of the Commonwealth. Not

only am I satisfied of the correctness of the conclusions which have been reached upon this subject and the principles they involve, but the experience of a few days only in the practical working of the system adopted, impressively illustrated the correctness of the position assumed.

In consequence of an order from the office of the Adjutant-General of the United States, dated November 27, 1863, providing that "All men who in future enlist into the regular army, under the late call of the President for troops, will be credited upon the quota of the district in which they enlist," I recommend that the various Acts providing for bounties, and also those in aid of the families of volunteers, be extended to meet the cases of persons enlisting as soldiers in the regular army and credited to this Commonwealth in the same manner as are the State volunteers.

I also respectfully recommend such a modification of the laws relating to State relief to the families of soldiers, as to include all such families, irrespective of their residence, and to authorize relief to be given retroactively when the situation of a family may require it. The not calling for State relief until necessity for it exists, ought to be rewarded, and not to be deemed a reason for its denial. The rise of prices and

of wages at home has put the soldiers already in the field under former calls, at a disadvantage. It bears heavily on their dependent relatives. And while the people feel themselves rich enough to offer large bounties to new volunteers, the relief laws for protection against want ought to be liberal in their terms, and liberal in their administration towards the families of these noble veterans who have borne and must still endure the brunt of war. Every case of reasonable expectation disappointed, is an injury to the general service. It weakens the confidence of many people, who in humble life and narrow circumstances, cherish with even pathetic devotion the spirit of patriotism, and whose very remoteness from the possession of power renders them peculiarly sensitive to apparent injustice or want of consideration.

Scrip—Interest.

The last legislature at its special session made only temporary provision for the payment of the bounties to volunteers. It will be necessary to provide either by tax or by the sale of the scrip of the Commonwealth, for reimbursement of the sums borrowed for this purpose. I assume that a portion must be obtained by loan. The difference between the market value of the scrip bearing interest payable in

coin, and that bearing interest payable in currency, is found not equivalent to the difference in the expense to the State of buying the gold with which the interest is paid. I therefore respectfully commend the subject to the attention of the Legislature. The faith of the State is pledged to the payment of interest on all outstanding bonds in coin, but no such pledge, express or implied, as yet attaches to future issues.

I also recommend the creation of a sinking fund for the redemption of all new securities which may be issued. With inconsiderable exceptions it has been the policy of the Commonwealth to accompany every issue of scrip with a sinking fund which should secure its redemption before maturity. This policy should not be departed from in any instance. And I have no doubt we shall maintain the credit of the Commonwealth unimpaired, even under the strain created by the exigencies of the war.

Reimbursement Bounty Act.

By the Act of the legislature of last year, to provide for reimbursement of municipal bounties paid to volunteers, and to apportion and assess a tax therefor, (Acts of 1863, ch. 218,) provision was made for these objects, and returns were ordered to be rendered

of bounties paid to volunteers mustered into the military service of the United States under the calls of July and August, 1862, which returns were to be made in the forms I should prescribe. In pursuance of the statute, I issued an order on the 13th of May last, directing that such returns should be under oath by the mayor and aldermen and city treasurer of each city, and the selectmen and town treasurer of every town. These returns were examined, compared and revised under my direction ; and the amount to be reimbursed to each city or town was thus ascertained, amounting, in the aggregate, to \$3,418,640.50. By the provisions of the Act, reimbursement was limited to \$100 for each volunteer. Several towns had paid higher rates of bounty and therefore do not receive back the full amount which they have paid out. The whole amount of bounties paid was \$4,596,046.45 ; and the excess of \$1,177,405.95, is not provided for in the Act, and was not intended to be.

Under the provisions of the same Act, I certified the amounts of reimbursement to the treasurer of the Commonwealth and to the assessors of the several cities and towns, on the 12th day of August last. The treasurer apportioned the aggregate of the amount among the several cities and towns, in the same

manner as the aggregate of the annual State tax for the current year is apportioned, for the purpose of raising the same by taxation, or such other mode of payment as the towns and cities should elect under the statute. But in consequence of changes since the valuation of 1860, such assessment does not produce the amount required, and there is a deficiency of \$4,888.67 which must be provided for by a specific appropriation. The tax assessed agreeably to the terms of the statute and according to the valuation of 1860, falls short, as every State tax since 1861 has done, by the sum of \$1.43 in every \$1,000, the tax to reimburse \$3,418,640.50, producing only \$3,413,751.83.

The errors in computing the State tax, as the laws now exist, arise from the following causes. A rate of taxation was fixed for every town and city in the Commonwealth, by the valuation committee of 1860. The Act of 1861, chapter 110, following the tables prepared by the committee, required each town or city to pay a certain sum for every thousand dollars of State tax that should be raised. These rates were by the same statute, required to remain in force for ten years. By the transfer of Pawtucket to Rhode Island a deficiency was created of \$2.37 in every \$1,000. By chapter 211 of the Acts of 1861 the ratio of North Reading was changed from \$2.12 to

\$0.66, causing a loss of \$1.46 in every \$1,000. By chapter 132 of the Acts of 1862 the ratio of Seekonk was changed from \$1.57 to \$0.56, causing a loss of \$1.01 in every \$1,000. And by chapter 66 of the Acts of 1863 the ratio of Halifax was changed from \$0.45 to \$0.40, causing a loss of \$0.05 in every \$1,000. There was also an error in addition for Franklin County, causing a deficiency of \$0.01 in every \$1,000. The ratio of Fall River was raised by chapter 132 of the Acts of 1862; and there was an error of \$1.25 in the addition for Middlesex County. The latter two variations tend to increase the aggregate, but they are insufficient to compensate for the opposite alterations before mentioned; and there is still a deficiency of \$1.43 in every \$1,000 of State tax that is raised, which will recur in every State tax until correction is applied.

These errors arose from making partial changes in favor of individual towns, without making corresponding *general* changes in regard to the whole basis of apportionment, and also by omission to provide for the losses by the transfer of Pawtucket to Rhode Island and by the error in addition for Franklin County. The remedy will be, a revision of the schedule established as the basis of apportionment by chapter 110 of the Acts of 1861, and the passage of

an Act corresponding to such revision, so that the aggregate of amounts to be paid by each town and city upon every \$1,000 of State tax, shall amount in full to \$1,000. After that is done, no change should be made in favor of any individual town without making a corresponding revision of the schedule in order to provide for the deficiency. Such revision, however, will not supply the deficiency which has occurred under the Act respecting the reimbursement of bounties; and a specific appropriation, as before stated, will be necessary to make up the balance of that reimbursement.

Troy and Greenfield Railroad, and Hoosac Tunnel.

The enterprise of constructing the Hoosac Tunnel is in vigorous progress, under the management of its able and experienced Commissioners. The construction of the road lying east of the mountain, of which the eastern terminus is Greenfield, is not yet resumed. Certain questions of title, springing from what is called "The Smith Mortgage," seemed to render it improper that the Governor and Council should assume that responsibility in advance of judicial determination. The Attorney-General of the Commonwealth was charged with instituting proceedings to bring these questions before the Supreme

Judicial Court for adjudication, and I am advised by him that measures are in progress to accomplish that end.

A Report has been made by the Commissioners to the Governor and Council, bringing down to the close of the last calendar year an account of their doings and expenditures. This document, with various legal opinions in writing, and the record of the proceedings of the Governor and Council in relation to the Railroad and the Tunnel, may all be important for consultation, should the Legislature find occasion to consider any matter pertaining to the enterprise, or should any new legislation be invoked concerning it. I think that a Committee of the Legislature ought annually to examine the progress of the work, the reports made to the Executive Department, and the contracts authorized, so as to understand the general economy of the management. But I do not think that either economy or efficiency requires, or is even consistent with, annually publishing the precise measures planned by the Commissioners. To do so would sometimes be fatal or injurious to their success.

Warrants have been ordered during the past year, for the payment of \$21,993.49 in liquidation of land damages, and \$153,006.51 in liquidation of claims against H. Haupt & Company for materials, service

and labor, which were presented before the Commissioners and allowed by them under the Act of 1862. These amounts represented indebtedness incurred under the former management, all of which, except the land damage claims, ought to have been paid out of means afforded by the scrip of the Commonwealth heretofore issued. These payments are therefore in the nature of a second payment for the same thing.

The progress during the year 1863, is rather in preparation than in construction. But a large force—of about 350 men—is now employed, and the work is fully begun.

The payments from the Treasury on account of the Tunnel for expenditures incident to the business of the last year, and to meet expenses of the year 1862, are \$53,503.06. Of this sum, \$40,000 were placed in the hands of the Commissioners for disbursement, pursuant to the statute of 1863.

The expenditure the Tunnel will require during the current year, is estimated by the Commissioners at \$300,000.

The original Tunnel Loan provided for, was \$2,000,000. Its un-issued balance being \$1,211,000, was by the Act of 1863, chap. 214, appropriated to the execution of the work under the new system

of direct State supervision, originating in the Legislature of 1862. To the payments during the past year, already mentioned, there is to be added the interest paid on scrip. The scrip issued in 1863, was \$209,000.

Harbors and Flats.

The preliminary surveys of Boston Harbor, prosecuted under the direction of the Commissioners of the Coast Survey on the part of the United States, have been completed. The results are nearly in a condition to be reported. In the meantime measures are in progress to ascertain the course to be recommended for the management and disposal of the Flats belonging to the Commonwealth, between South Boston and the channel, and also for the preservation of the Harbor of Boston. The Commonwealth Commissioners on Harbors and Flats hope to be able to make an early report thereon to the present Legislature. In the meantime I am advised by their Chairman that by communications from the United States Commissioners, they are warranted in urging attention to the importance of some immediate action to protect the outer harbor of Boston from the constant and rapid action of the winds and waves upon the islands forming its outer barriers,

which threatens, if not soon arrested, to cause irreparable injury. From the high character of the Commission which has had this subject under consideration on the part of the United States, and from the urgency of the measure in their judgment, the Commonwealth's Commissioners have deemed it their duty to make this communication to myself in advance of a more extended report upon the subjects referred to them. I commend to the General Court, not only this most commanding subject of the harbor of Boston, but also the scheme of reclaiming the flats in Boston Harbor, which, as related to the treasury of the State and the business of the people, is of the first importance.

Pleuro-Pneumonia.

I have the honor to communicate to the Legislature a Report of the late Commissioners on contagious diseases of cattle ; also, a report made to me by a gentleman who was authorized under chapter 75 of the Resolves of 1863, "to make experiments on Pleuro-Pneumonia among cattle so far as it relates to the laws of transmission"; also, a communication from the Secretary of the Board of Agriculture, presenting with great force of argument and with much evidence, his views of the importance of thorough and

immediate treatment, in order to eradicate the disease from the Commonwealth. This supposed contagion has also been made matter of personal communication to the Executive Department by numbers of eminent farmers. I have thought it my duty, therefore, to place the documents alluded to in immediate possession of the General Court, respectfully invoking their earnest and intelligent consideration of the subject.

Tax on Non-resident Stockholders in Massachusetts Corporations.

“An Act to levy a tax on the stock of corporations held by persons whose residence is out of the Commonwealth,” was adopted by the last General Court, to which it becomes important that further consideration should be extended. My attention has been especially attracted to this statute by friendly remonstrances which have reached the Executive Department from those authorized to represent the people of other States, as well as by suggestions from other sources, not addressed to myself either officially or personally, of retaliatory legislation.

While I do not overlook the abuses which this Act was intended to prevent, I am bound to suggest the inquiry, whether its probable advantages will compensate its tendency to prevent investments of foreign

capital in Massachusetts, to invite disproportionate taxation of Massachusetts capital invested in other States, and to alienate the feelings of our neighbors, creating hostility of sentiment towards our Commonwealth. Having officially participated in giving to this measure the force of law, I am the more obliged to recommend its re-examination.

Whether it bears upon property owned here by citizens of other States, or by people of foreign countries, the reasons of policy which affect our opinion of this Act, differ perhaps sometimes in degree, but not in their kind. While difference in degree alone, on a question of mere public expediency, may be sufficiently decisive to produce a difference of conclusion, I freely confess that I do not perceive in the present instance a difference so decisive. There remains, however, the graver objection of its doubtful constitutionality. The second section of the fourth article of the Federal Constitution declares that "the citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States," and immunity or exemption from higher taxes or impositions than are paid by citizens of the State by which they are levied or imposed, is one of the classes of privilege or immunity which have been judicially enumerated as

within the category intended by that clause of the Constitution. This provision is held by constitutional jurists to include all those privileges and immunities which are in their nature fundamental, belonging of right to the citizens of all free governments. Such are the right to the protection of life and liberty, the right to acquire and enjoy property, and to pay no higher impositions than other citizens.

The Constitution of Massachusetts, (Chapter 1, Section 1, Article 4,) gives power and authority

“To the General Court, to impose and levy proportional and reasonable assessments, rates and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said Commonwealth ; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities whatsoever, brought into, produced, manufactured or being within the same.”

The same article further prescribes that

“In order that such assessments may be made with equality, there shall be a valuation of estates within the Commonwealth, taken anew once in every ten years.”

The first section of the statute in question requires every corporation paying dividends, to reserve from each and every dividend one-fifteenth part of that portion due and payable to its stockholders residing out of the Commonwealth, and to pay it “as a tax or

excise on such estate or commodity.” The words “estate or commodity” are understood to apply to these dividends. Thus the tax or excise is laid on certain “dividends” denominated “estates or commodities.” And it is laid on the dividends due and payable by the same corporation to some of its stockholders, but not on those due to other stockholders. Were the statute to make such a discrimination between stockholders residing in Massachusetts, as for example that Berkshire stockholders should be subject to the tax or excise, while Nantucket should be exempt from it, no one would doubt that the statute was in collision with the principles of the Constitution. It would be held on all hands neither “reasonable” nor “proportional,” and the assessment not “made with equality.” But the Constitution not only requires that “assessments, rates and taxes” shall be “proportional and reasonable,” and “made with equality” “upon all the inhabitants and persons resident,” but also upon “estates lying” within the Commonwealth.

“Taxes” on “estates,” therefore, must be “proportional” and “made with equality,” as well as taxes upon “inhabitants” and “persons resident.” So that if these dividends are “estates,” then the tax on them is unconstitutional, because laid unequally; i. e., not laid on all the shares of the same corporation. But the

statute also calls the payment it demands, an “excise,” or rather, calls it a “*tax* or *excise*,” in the alternative. So in like manner it calls the thing taxed an “*estate* or *commodity*,” in the alternative. It may be contended, then, that if as a *tax* it is unconstitutionally laid on an *estate*, yet, as an *excise* it is constitutionally laid on a *commodity*. But it could not be thought reasonable that if one *inhabitant* produced, manufactured, or brought a commodity into the Commonwealth, it should be subject to an excise, while if the same thing were done by another inhabitant, it should escape the excise — save in those cases where, as a police regulation, to preserve order, prevent abuse, and protect society itself, individuals, with a view to the public good, are selected to be licensed or permitted to keep, vend or use certain commodities, subject to the burden of a reasonable imposition. And, while the citizens of other States have the same “immunities” enjoyed by those of our own State, I think the argument equally strong, if instead of using the word “inhabitant,” I had used the phrase “citizen of any State.”

It will be noticed that in the Constitution “*excises*,” are mentioned in immediate connection with “*duties*,” and that the same provision as to their reasonableness is made concerning both, and in the same sentence.

While “duties” was probably used in the sense of an imposition on imports and exports, “excises” was the term probably used to define an inland imposition, which is sometimes laid upon the consumption of a commodity, and frequently upon its retail sale which is the last stage before consumption. Both these terms apply to things in the nature of “goods and produce, wares, merchandise, and commodities brought into, produced, manufactured, or being within” the Commonwealth.

The term “commodities” is plainly intended, I think, to cover all of the “commodious,” that is to say, useful or convenient, things of the same general description as goods, wares, and merchandise, which are capable of production, manufacture, transportation or of existence, either brought into the State or to be found within it. But a dividend cannot be such a commodity. A dividend due from a company to a shareholder is an incorporated interest in profits, or a right in action for money belonging to the owner of that species of incorporeal property known as stock or shares in a corporation. In a word, the corporation, as an artificial person, owes certain profits or earnings to its shareholders, which they have a right to demand and receive. Our statute taxes the right. Can Massachusetts lay a tax on just demands of creditors

who are citizens of other States, against her own inhabitants, not laid on similar demands of her own citizens? If she can, then the citizens of Massachusetts possesses an "immunity," in spite of the Federal Constitution, not shared with them by citizens of other States.

The exercise of the power of levying duties and excises has been held to include the imposition of an excise upon certain sources of emolument and profit, not strictly called property, but which are rather to be considered as the means of acquiring property, as for example, the privilege of using particular branches of business, like those of attorney, auctioneer, or innholder. So also, it includes the franchise of a corporation. In these instances, the convenience, privilege or franchise is deemed to be a "commodity" within the meaning of the Constitution: But in like manner it has been also determined that such taxes must undoubtedly be equal, in the sense of operating upon all persons exercising the convenience, privilege, franchise, or commodity, so taxed. It is contrary to the principles of natural justice to make an arbitrary discrimination between citizens or subjects, not founded in the reason of the thing; and an excise laid in disregard of those

principles, would be *unreasonable*, within the meaning of the Constitution.

State Charitable and Correctional Institutions.

The Board of State Charities constituted in obedience to an Act of the last General Court, was inaugurated on the first day of October. It is required, among other things, to investigate and supervise the whole system of the public Charitable and Correctional Institutions of the Commonwealth, and to recommend whatever changes or provisions it may deem necessary for their economical and efficient administration. The law establishing this Board, to a portion only of whose duties I have alluded, was the result of great deliberation and matured reflection by two succeeding Legislatures. I venture therefore to express the opinion that a fair opportunity to test its working ought to be allowed, and that existing legislation concerning the Institutions in question should remain undisturbed until the Board shall have had the term of at least one full year within which to pursue its inquiries and report its own recommendations. Although I have enjoyed the means of sharing as an executive officer in the results of its observations, I think it my own duty to forbear comment at the present time on any portion of that general subject

especially committed to the oversight of the Board. When it shall have prepared those full and complete reports contemplated by the Act, it may be important that the General Court, and the Chief Executive Magistrate for the time being, should engage in the discussion.

One piece of legislation, however, adopted the last year, deserves immediate attention. It is that which forbids the commitment to the Reform School, of any boy below the age of eleven years. So long as boys less than eleven years old are deemed capable in law of the commission of crime, I respectfully submit that it is the duty of lawgivers to provide for them a punishment better fitted to their tender age than imprisonment in Jail or House of Correction.

I dismiss this topic, presenting with this Address a Report to the Governor and Council, made by Hon. Alfred Hitchcock, in his capacity of a Councillor and also a member of the Special Commission on Lunacy appointed under chapter 91 of the Resolves of 1863, on the subject of a Hospital for the curative treatment of Inebriates. I earnestly invoke for this eloquent and ably reasoned document on a subject too long neglected, the attention of the General Court.

I have on former occasions alluded to the absence of uniformity in the government, economy and discipline of our penal institutions, and to a fact, somewhat remarkable, that while a man may be sentenced to the State Prison, where he would be under the immediate guardianship of officers and inspectors appointed by and responsible directly to the Commonwealth, he may also for the very same offence, at the discretion of the same judge, be sent to the House of Correction, where, though convicted and punished for breaking the laws of the State, he would be governed and disciplined wholly by officers over whom the Commonwealth exerts no control. I respectfully submit, that abdicating this control does not discharge the responsibility of the Commonwealth ; and I trust that the condition of our county prisons and prisoners, and the character of their discipline and treatment, will receive the faithful attention of the General Court.

Education of Deaf Mutes.

The amount annually appropriated for the support of indigent pupils at the American Asylum, at Hartford, for the deaf and dumb, has for several years fallen short of what is required. The number of our State pupils is eighty-eight, of whom seventy-one have

been under instruction for one year and upwards, and seventeen were introduced last year. Many deserving cases have, for want of vacancies, been postponed from year to year, until last summer I found it imperative that the number of State pupils should be increased. I accordingly issued warrants for the admission of eight pupils in addition to the number (80) which has been the average for the past few years. Even with this number of admissions, I have been obliged to postpone a few deserving cases until another year. The eight I could not in conscience postpone until another September, which is the month in which the school year begins ; and I am sure that all the members of the General Court would have concurred in my disposition of each case, had they been present to examine it.

The present appropriation of \$8,500 per year was established in 1847. An average of ninety pupils now, bears no larger proportion to our population, than the average of seventy-five did to the population at the time when the present rate of appropriation was adopted. Notice has also been received from the Trustees of the Asylum that, owing to the increased expenses of living, an annual additional charge will hereafter be made of \$25 for each pupil, making the annual amount paid by the State for its beneficiaries,

\$125 each. I therefore recommend an increase in the annual appropriation.

The Governor and Council have not failed, during the term of my connection with this department, annually to visit the Asylum. We have found no charity more grateful, certainly none more useful. The introduction of the light of knowledge into the minds of youth, once deprived of the delights of learning, the enjoyments and uses of cultivated and instructed reason, is one of the triumphs of philanthropic enterprise, and one of the blessings of our age.

It is usually impossible to send a child under the age of ten years to the American Asylum. The postponement of all effort to teach deaf mute children until an age so much later than that at which other children are taught, is an additional disadvantage, aggravating their original burden. A society has been formed in Boston, establishing a school and a church, maintained by private liberality, with special reference to the condition of children not congenitally deaf, but made so by disease, who are taught according to the German method, and though deaf, learn to articulate. I beg your attention, gentlemen, to this experiment. By judicious fostering, it may open the

way of knowledge even to our younger unfortunates ; and it may open it a little wider to all of them.

Hospital for Invalid Soldiers.

I am happy to inform the Legislature that there is now a reasonable hope of a United States General Hospital in this Commonwealth, to which our sick and wounded soldiers, invalided in other States, may be transferred. On the recommendation of the Medical Director of the Military Department of the East, who was specially detailed by the Acting Surgeon-General of the United States to visit the State for this purpose, and in accordance with my own views and with the suggestion of the Head of our own Medical Department, it is expected that Worcester will be selected by the proper authorities as its locality. I have sent to the Secretary of War, through our State Military Agent, documents bearing the signatures, not only of the Surgeon-General and myself, but also of all the Senators and Representatives of Massachusetts in the present Congress, urging the importance of this measure, for its influence on the health and comfort of our soldiers and the convenience and satisfaction of their friends, and also as needed to avoid future embarrassments contingent upon the want of a large General Hospital. A

salubrious location, with the cheerful influence of rural scenery, and at a point where railroad facilities centre, is not only desirable in a sanitary point of view, but for the convenience of the friends of the soldiers.

I refer you to the report of the faithful and able Surgeon-General of the Commonwealth, which will be presented hereafter, for other interesting particulars connected with the service, pertaining to his department. Special details have been made during the past year, of some of our most eminent medical men, to examine and report upon the condition of our Massachusetts soldiers, invalided in the Departments of the West, South, Gulf, and the Army of the Potomac. Their visits have had a salutary influence, assuring our brave men that their comfort and welfare are not forgotten by the State, cheering them with kindly words and deeds of encouragement, besides furnishing the proper departments with correct information useful to the service and grateful to the families and friends of the absent soldier.

To the Medical Commission of the Commonwealth, for their voluntary and important services as a Board of Examining Surgeons of candidates for our Medical Staff, the Commonwealth is under new obligation, and I offer to them the grateful thanks of the State

for assistance always rendered whenever occasion has required, in the spirit of a liberal profession.

With the ready coöperation of the executive officer of the Lovell United States General Hospital, at Portsmouth Grove, Rhode Island, I was enabled by an application to the Secretary of War, to procure for all Massachusetts men who were patients in that hospital and deemed fit to travel, the indulgence of a furlough for seven days on the occasion of our National and State Thanksgiving, to enable them to enjoy its festivities amid the delights of home. I have the pride to declare that of the two hundred and eighty-one men thus receiving furloughs, all but one returned, keeping their manly faith in a manly way; while that one, delaying his return a few days, reported himself to the Provost-Marshal of his district, and received transportation as a "straggler," not as a "deserter." The condition in which they returned was such as to draw from the executive officer in charge of the hospital an expression highly honorable to our men.

Soldiers' National Cemetery at Gettysburg, Pa.

The soldiers who fell in the battles of Gettysburg, on the 2d, 3d, and 4th days of July, baptizing with their blood the ground their valor rendered immortal, are

now commemorated by a National Cemetery, where they repose in becoming interment. This field of glory and cemetery of the brave, was solemnly dedicated, on the 19th of November, by a National ceremony at which the President of the United States personally assisted. Uniting with the Governors of the other loyal States of the Union, I caused Massachusetts to be represented by several gentlemen acting as Commissioners of the Commonwealth. Their Report I have the honor to communicate to the Legislature. Preserving an authentic record of ceremonies attending the consecration of a battle-ground where Northern valor saved our government and preserved our liberties, this Report deserves an honorable place in the archives of the Commonwealth.

Application will be made to the Legislature of Pennsylvania for an Act of Incorporation of the Trustees of the Soldiers' Cemetery at Gettysburg. I have accordingly nominated a gentleman to represent the interest of Massachusetts, whose name will be included in the Act of Incorporation. The estimated expenses of finishing the Cemetery are \$63,500, to be divided among the States in the ratio of their representation in Congress. The proportion of Massachusetts will be \$4,205.30. In order

that this Commonwealth may sustain her share of this expense an appropriation will be necessary. I submit the Report of the gentleman named to be a Trustee on the part of Massachusetts, in which the particulars needed for the information of the General Court are properly stated.

A committee of the City Council, was raised through the efforts of His Honor the Mayor, to take charge of the sepulture of those soldiers who were citizens of Boston. I transmit, as a part of the record, their Report, a copy of which I have had the honor to receive. This committee and the Commissioners of the Commonwealth so co-operated that without local discriminations between the Massachusetts dead, the remains of all were alike cared for.

The Defences of our Coast.

On March 30th an Act was passed appropriating a million dollars for the defence of the coast of Massachusetts and investing the Governor and Council with a wide discretion in its expenditure. A letter addressed to me in October, 1861, by the Federal Secretary of State, which was communicated by me to the General Court of the next year, had given assurances of reimbursement by Congress of amounts to be expended by the States for that purpose, provided such

expenditures should be the subject of conference with the Federal Government, and should be made with its concurrence. Immediately on the passage of the Act measures were taken, therefore, to learn the views of the Federal Government as to the objects to which our money could be best applied ; and the opinions of many of its principal officers, including those of Chiefs of Bureaus in the Departments of War and the Navy, of the Secretaries of both Departments, and of the President himself, were obtained. These opinions were not unanimous, and except by way of suggestion afforded no guide to a correct decision. But reflecting on facts known to us as to the defenceless condition of the coast, and applying to them these opinions and others gathered from engineer and ordnance officers of high distinction, two objects seemed specially worthy of attention ; first, the maturing of a plan for obstructing the harbor of Boston against naval attack, so that at the moment of danger there might not be conflict of counsel as to the plan to be adopted ; and, second, the procuring of approved heavy ordnance for our forts from whatever sources it should be obtainable in addition to those employed by the United States with whose contracts it is not our policy to interfere by competition. These objects have been pursued with all possible energy and diligence,

and with a satisfactory degree of success. A plan of admirable skill and completeness has been prepared for obstructing harbors against hostile fleets, however powerful. It is the work of an informal Commission, composed of gentlemen combining a warm interest in the subject, and large experience in navigation, with the advantage of much study of the general question, and special scientific attainments. Their report and plans were referred to the Chief Engineer, by whom they were reconsidered, and the whole work was reproduced in the form of careful specifications and working drawings, ready for immediate use at a moment's call. The forts of Boston Harbor, also, have been placed in telegraphic communication with each other, and with the city. I do not propose to make a further statement of details, since publicity is not consistent with the interests of the Commonwealth, but I respectfully suggest that the whole subject be referred to an appropriate committee.

During the last year, the Federal Government has been encouraged to additional efforts for the protection of the coast. Besides important progress in the construction and armament of the masonry forts at Boston and New Bedford, earthworks have been designed, and some of them completed, for the defence of New-

buryport, Gloucester, Salem, Marblehead, Plymouth, and Provincetown. Very little, however, has been done to guard the settlements along the Cape and on the neighboring islands, and also the important commerce of the adjoining waters, and I respectfully suggest the defenceless condition of that neighborhood for your consideration. An appropriation has been made by Congress for beginning a masonry fort at Provincetown, surveys for which purpose have been had; and earthworks have been built and armed there; but for the present, adequate protection of the waters on our southern shore from incursion and ravage such as was once during the year committed in the Vineyard Sound, can be rendered only by the constant presence of a naval force which it is desirable that the Federal Government should afford.

The Act of March 30th, beside making an appropriation in behalf of the State, provided for appropriations by municipal governments, with the expectation of reimbursement from the State Treasury. These have been made by some towns and cities to secure the necessary number of laborers at the current rates of wages, upon the earthworks constructing at their ports, the Federal officers having the works in charge declining to offer a rate of pay to laborers, higher than a dollar and a quarter per day. The propriety

of refunding the sums thus advanced will meet your consideration.

At every stage of the investigation which now for nearly three years I have been pursuing into the subject of our defences against naval attack, the deficiency in our means of obtaining a sufficient supply of heavy ordnance has caused my chief anxiety. Massachusetts contains ample beds of iron ore of a superior quality for gun metal. No other Commonwealth possesses in higher degree all the elements of scientific and mechanical ingenuity necessary to the manufacture. There is no deficiency of private capital seeking investment. But thus far, the Federal Government, while absorbing the entire product of all existing Massachusetts gun-foundries, has failed to induce the investment of private capital in additional foundries. Nor is this surprising, for the amount of capital required to construct mechanical establishments complete enough to cast and finish the heavy cannon which we need, is rarely within the measure of the means of individuals, and the continuance in employment of such establishments once constructed, would depend upon the regularity of appropriations by the National Congress. Indeed, the Federal Government would be the only domestic customer of such foundries, with no competitors

except foreign governments. The building of the foundries would involve also the investment of more capital in furnaces in the mining districts, to supply the iron. A trade so grand, in which nations appear as the sole customers, and which concerns so closely the honor of our flag and the security of our borders and our marine, is worthy of the most serious attention if by any legislative action it can be encouraged. I have long been satisfied that the objects we desire can best be effected by building a great National foundry. I respectfully commend the subject to your investigation, and if the project shall commend itself also to your judgment, I believe that a formal expression of opinion by the Government of Massachusetts in favor of such a work, might encourage the National Congress to authorize it.

Standing for a long time during the past year on the apparent brink of war with powerful naval States of Europe, the rebels even at this moment being restrained, almost against expectation, from launching out of foreign ports their mailed war steamers built expressly to carry destruction to the commerce and the seaports of the North; with all the dangers hourly besetting us, which spring from the unsettled condition of Europe, the French invasion of Mexico, and the sympathy of powerful persons and rulers abroad

with the rebellion at home—I am firmly convinced that ordinary prudence demands of Massachusetts never to rest until her harbors shall be adequately defended.

Arms and Equipments for the Militia.

The 29th chapter of the Resolves of 1863, authorized the Executive Department to contract on behalf of the Commonwealth for the purchase or manufacture of fifteen thousand stand of arms, of such pattern as should be found* best adapted for the service ; also of arms and equipments for one regiment of cavalry ; guns and equipments for five batteries of light artillery ; and such other arms and equipments as should from time to time be found necessary for arming the militia in active service. The resolve appropriates \$450,000 for those purposes.

The sources of supply, whether by purchase or manufacture, have been made the subject of careful examination and report. The kinds of arms best adapted to the various branches of the service, were, in the light of recent experience, considered and reported on, by competent military men. Wherever different arms of the same general description were offered in competition, they were submitted to the test of critical comparison by a Commission of experts.

All the arms and artillery required were accordingly contracted for, and are in process of construction and delivery. The amount disbursed already in payments is about fifty thousand dollars. The contracts entered into will nearly, or quite, absorb the whole appropriation. Certain articles of equipment have not been passed upon, because improvements in their construction are under consideration by the appropriate officers of the U. S. Army, whose decision it was thought advisable to await, especially as the articles can be procured on short orders when necessary. To complete the duty assigned to the Executive by the Legislature, will require a further appropriation of about \$50,000.

In order that no injurious delay shall happen, I have requested the Master of Ordnance, in advance of his regular Annual Report which will be communicated through the Adjutant-General, to report to me in detail, all the particulars necessary to a competent understanding of this portion of the transactions passing through his bureau; and this preliminary report is now ready for the use of any committee of the General Court to which the subject may be intrusted.

Military Academy.

I have the honor to place before the Legislature the Report of the Commissioners appointed under the 73d chapter of the Resolves of the year 1863, "concerning the establishment of a military academy."

The Commission was directed by the resolve to inquire into the expediency of establishing an academy for the instruction of young men in mathematics, civil, military, and practical engineering, and other studies in connection with infantry, artillery and cavalry drill and tactics, and to report a design for such an institution, the mode of establishing the same, the expense thereof, a plan for its support, the number of pupils to be accommodated, their age at entering the institution, the amount of camp duty, the length of the academic course, what provision should be made for the support of the pupils, and the equivalent to be rendered therefore; and whether the Commonwealth has any, and what, property available for the endowment of such an institution.

The eminent character of the Commission, the learning, experience and ability, both civil and military, represented by its members, and the relations which all of them have heretofore borne to education and its various public institutions, I think entitle their

opinions to the most respectful consideration, and lend influence to the arguments to which their minds have yielded assent.

I believe the establishment under the patronage of the Commonwealth, of such an institution as they recommend, to be wise and expedient, that we cannot safely neglect it, and that we ought not to delay it. I believe its influence upon the public school system, or the popular education, correctly administered, will fully compensate the expenditure it may involve. Invoking the attention of the General Court to the Report itself, I will not assume to display it in advance of your own reading. The advantages of an institution like that contemplated, in its more direct and immediate bearing on the military efficiency of the Commonwealth is not easily overstated. Yet these advantages are to be gained in close and natural connection with large and constant benefits which include not only the elevation of the public schools, but also the scientific professions—the higher industrial pursuits. The education of numbers of young men of Massachusetts, not, however, excluding others who may resort hither to share their studies, in those branches of learning which fit them for mechanicians, engineers, experts in chemistry, physics, and various applications of science to the arts, will, it is not

unlikely be associated with a Military Academy. And, from a conviction so deep that I would all men in the Commonwealth might share in it, I hope I may be permitted to allude to what I pronounced from this place one year ago, in connection with the subject of an agricultural college, that the one great and commanding duty and capability of our Commonwealth—her way to unchallenged influence and admiration among the States—is the discovering, unfolding, and teaching the secrets of knowledge, and their scientific application to the arts of civilized humanity.

A most emphatic illustration of the power communicated to the world by the combination of science and industry is found in the single fact that the employment of steam was estimated more than ten years ago, to have added to the industrial efficiency of the British Islands alone, a power equal to the united forces of 600,000,000 men. Every locomotive steam-engine of fifteen tons on our own railroads does the work of fifteen hundred men ; and our larger locomotives furnish the equivalent of three thousand men. While, therefore, I would not diminish by one spark the zeal of the people for the military service, nor underrate the value of strictly military education, both as a means of preventing war and of successfully encountering its

shock, I beg respectfully to remind you, as an additional argument in favor of an academy, of the incidental advantages to our peaceful industry and to the education of the people, to be derived from a proper cultivation, generously maintained, of those branches of science indispensable in modern times to the Art of War.

The Soldiers Contributed by Massachusetts.

South Carolina adopted her pretended ordinance of secession in the month of December, 1860. The first overt act of war, committed in pursuance of the treasonable conspiracy of which the ordinance of secession was the formal beginning, was the firing on the *Star of the West*, a national transport laden with men and supplies for the garrison in Charleston harbor. The date of the ordinance was the 20th day of December, 1860. The *Star of the West* was attacked the 9th day of January, 1861. But the beginning of the War of the Rebellion is dated from the 12th day of April, 1861, that being the day when, after long and uninterrupted preparation, the batteries of the Rebels opened upon Fort Sumter.

On the 15th day of April the War Department called upon this State for two regiments of militia, and on the next day the call was enlarged to a

requisition for four regiments. On the 16th, the Sixth Regiment of Massachusetts Volunteer Militia marched for Washington by railroad, and two others, the Third and Fourth, moved by sea. On the 18th, the Eighth Regiment marched under General Butler; the Third Battalion of Rifles under Major (now Brig. Gen.) Devens, on the 20th, and the Fifth Infantry and Cook's Battery of Light Artillery on the early morning of the 21st. Capt. Dodd's Rifles, added to Devens' Battalion, marched May 1st. Thus rapidly and efficiently was the call of the government responded to, and the capital of the nation, and Fortress Monroe, which was of far greater military value than Washington, were rescued from imminent danger, at a period when the consequences of a lifetime were crowded upon the efforts of an hour. The number of troops thus furnished by Massachusetts for three months' service, was 3,736.

On the 3d of May, 1861, the President called for a force of volunteers to serve for three years, or during the war, of which force Massachusetts was at first asked to furnish three regiments. This number was, by much persuasion on my own part, increased to six; after which, by the efforts of the friends of the lamented Colonel Webster, it was again increased to seven. On the 17th day of June, 1861, ten

more regiments having been offered by Massachusetts to be raised for the three years' service, were accepted by the Department of War. Marching at various intervals between the 30th day of July and the 8th of October, both inclusive, they were all put into the field, fully armed, equipped, and supplied by this Commonwealth. In the designation of these corps of three years volunteers the numbers borne by the five regiments of Massachusetts Militia in the three months' service were always omitted; so that the infantry regiments of Massachusetts when enumerated in consecutive order, including militia and volunteers in one series, numbered in all on the 8th of October, 1861, 22 regiments which had taken the field. Added to these were the battalion of riflemen and one battery of light artillery in the three months' service, and two companies of sharpshooters and three batteries of light artillery enlisted for three years, which had marched from the Commonwealth before that date. This contribution to the National forces was enlarged subsequently by voluntary enlistments, and by the formation, within the next eight months, of voluntary organizations to the number of ten more regiments and eight more companies of all arms of the service. So far from leaving any requisition unfilled,

this Commonwealth was urgently pressing on the Federal Government during a large part of the first year of the rebellion, for permission to extend her military contingents. During the whole of the month of May, 1861, and until the 17th day of June, we were embarrassed by having several thousand troops under arms in the State, which the Federal Government was unwilling to accept. I had from the beginning considered that the exigencies of the war would require a much larger force of volunteers than the 42,000 called for by the President in his proclamation of May 3d, and accordingly neglected no opportunity to secure enlistments, which were easily obtained during a period of great patriotic excitement. It was with great embarrassment that I learned that the Federal Administration did not entertain the same views and refused to accept more than six three years regiments from this State, although a much larger proportion was conceded to the State of New York. Late in May, I was advised officially from the Department of War that it was "important to reduce rather than enlarge this number," and "if more were already called for, to reduce the number by discharge," and earlier in the month I had been warned that the administration was getting more men than were wanted. We were therefore

under responsibility to men who had been encouraged to take up arms to the number of several thousands more than the Federal Administration could be persuaded to receive ; and, after forcing all I could upon the General Government, and availing myself to the extremest limit of the provisions of the Encampment Law of the State, (passed on May 23d,) I found there would remain some thousands whom it would be necessary to disband. The preparations for establishing a camp or camps under the law were immediately instituted, and the process of disbandment was reluctantly commenced, according to the instructions of the War Department, with reference to all regiments and companies recruited beyond the number of the six regiments which the Federal Government consented to receive, and the five additional regiments which, by law of the State, I was authorized to place in camp here for instruction and discipline.

It should not be forgotten that at this time six Massachusetts companies, organized in Newburyport, West Cambridge, Milford, Lawrence, Boston and Cambridgeport, finding no places in our volunteer service, received permission to join the Mozart Regiment and Sickles Brigade, both belonging to the State of New York ; that three hundred more Massachusetts men were enlisted in the " Union Coast

Guard Regiment" at Fortress Monroe, under command of Col. Wardrop; and that others were also enlisted by persons from other States, who maintained recruiting stations in our towns and cities until they were prohibited by law from thus withdrawing the people of Massachusetts into the organizations of those States. There were estimated by the Adjutant-General of this Commonwealth more than 3,000 Massachusetts men who thus went to swell the apparent contribution of other communities while lessening the ability of this State to meet any subsequent draft upon her military population.

On the 3d of December, 1861, an Order of the War Department was promulgated that

"No more regiments, batteries, or independent companies will be raised by the Governors of States, except upon the special requisition of the War Department."

In February, 1862, I requested leave to recruit four companies, and to organize them, with six companies of volunteer infantry doing garrison duty at Fort Warren in Boston Harbor, into a regiment, to be used in any coming emergency. The offer was declined, with the remark that "the four additional companies which would be needed to complete an entire regiment," were "not required for service." An additional company of sharpshooters was also

offered on February 26th, 1862, but an answer was returned on March 17th, that they could not be accepted, unless as a company to complete some infantry regiment. The company was disbanded, because no such incomplete and authorized regiment existed, and because the men were offered as sharpshooters.

On the 3d of April, 1862, it was further ordered by the War Department as follows:—

“The recruiting service for volunteers will be discontinued in every State from this date. The officers detached on volunteer recruiting service will join their regiments without delay, taking with them the parties and recruits at their respective stations. The superintendents of volunteer recruiting service will disband their parties and close their offices, after having taken the necessary steps to carry out these orders.”

To this Order an exception was obtained by me later in the month, authorizing recruits to be enlisted here to repair the losses which the Massachusetts regiments in the Department of North Carolina had sustained in the battles of Roanoke and Newbern; and on June 5th another exception was obtained in favor of the Second Regiment of Massachusetts Infantry, which had suffered in the recent withdrawal of our forces up the Valley of the Shenandoah. At

the same time with this last, I received authority to recruit for any of our regiments in the field.

On the 2d day of July, 1862, in apparent compliance with the united request of the Governors of several of the loyal States, the President of the United States promulgated a requisition for 300,000 more volunteers to be enlisted under the State Governments, and to serve for three years, or during the war.

The number of organizations which up to that time had been furnished by Massachusetts, was 27 regiments and 13 unattached companies of the different arms, whose whole number of men, with the addition of the recruits who had joined them after reaching the field and before the cessation of recruiting in April, 1862, was 31,377. I respectfully ask your attention to a statement arranged in tabular form, embracing the designation of each regiment and unattached company, the date when it marched from the Commonwealth, and the number of its members at the time.

1st Regiment Infantry,	.	1,047	men, marched June 15, 1861.
2d " "	. .	1,046	" " July 8, 1861.
7th " "	. .	1,046	" " 11, 1861.
9th " "	. .	1,047	" " June 24, 1861.
10th " "	. .	1,047	" " July 25, 1861.
11th " "	. .	1,050	" " June 24, 1861.
12th " "	. .	1,055	" " July 23, 1861.

13th Regiment Infantry,	.	1,021	men, marched July 30, 1861.
14th* " " .	.	1,305	" " Aug. 7, 1861.
15th " " .	.	1,040	" " 8, 1861.
16th " " .	.	1,003	" " 17, 1861.
17th " " .	.	951	" " 23, 1861.
18th " " .	.	1,012	" " 26, 1861.
19th " " .	.	852	" " 28, 1861.
20th " " .	.	762	" " Sept. 4, 1861.
21st " " .	.	1,007	" " Aug. 23, 1861.
22d " " .	.	1,050	" " Oct. 8, 1861.
23d " " .	.	1,062	" " Nov. 11, 1861.
24th " " .	.	989	" " Dec. 9, 1861.
25th " " .	.	1,032	" " Oct. 31, 1861.
26th " " .	.	1,050	" " Nov. 21, 1861.
27th " " .	.	983	" " 2, 1861.
28th " " .	.	950	" " Jan. 11, 1862.
29th " " .	.	881	" " { † May —, 1861.
			{ ‡ Jan. —, 1862.
30th " " .	.	929	" " Jan. 2, 1862.
31st " " .	.	941	" " Feb. 20, 1862.
1st Reg't Cavalry and } unattached Companies, }	.	1,857	" " { Dec. —, 1861.
			{ Jan. —, 1862.
1st Battery Light Artillery,		170	" " Oct. 3, 1861.
2d " " " .	.	152	" " Aug. 8, 1861.
3d " " " .	.	157	" " Oct. 7, 1861.
4th " " " .	.	154	" " Nov. 20, 1861.
5th " " " .	.	156	" " Dec. 25, 1861.
6th " " " .	.	139	" " Feb. 8, 1862.
7th " " " .	.	152	" " May 22, 1861.
8th§ " " " .	.	155	" " June 25, 1862.
1st Co. of Sharpshooters, }	.	208	" " { Sept. 3, 1861.
2d " " " }	.		{ Oct. 8, 1861.

Recruits sent to the above organizations, after reaching

the field, . . . 2,279 men, marched at various dates.

Total of 27 Regiments and 13 ———

Companies, and their re-

cruits,—in all, . . . 31,737 men.

* Afterwards First Heavy Artillery.

† Seven Companies.

‡ Three Companies.

§ For 6 months.

To the above should be added—

Company "B," 40th N. Y.		} These numbers are taken from the muster- rolls at Washington, and include only three of the six companies in these New York regiments.
Vols., ...	101 men.	
Company "H," 1st Excelsior		
Brigade, ...	89 "	
Company "D," 5th Excelsior		}
Brigade, ...	90 "	
Men in the "Union Coast		
Guard,"	233 "	
Total, ...	32,250 men.	

No official order was ever issued to this Commonwealth, within my knowledge, fixing the quota of Massachusetts under the requisition of July, 1862 ; but upon a consultation had in Boston, between the proper representative of the War Department and the Adjutant-General of Massachusetts and myself, it was at the outset understood that the Massachusetts quota of that number was 15,000 men. On the same day (July 2d, 1862,) a proclamation was promulgated by the Governor announcing the call, and on the 7th, a General Order, announcing the proportion of that aggregate which each town and city should furnish. A new crusade for the Union was preached all over the Commonwealth. The unfortunate campaigns in Virginia, which resulted in the return of both our armies within the defences of Washington, aroused and inflamed the zeal of the whole people. The requisite number of men was speedily raised.

On the 4th of August, 1862, the President, by his further Proclamation, called for 300,000 men in addition, to serve for nine months, exacting a draft to be made in accordance with certain regulations, which were promulgated by the Department of War. The quota of Massachusetts was fixed at 19,080. Although that number of nine months men was not raised by Massachusetts, the difference was more than supplied before the first day of January last, by an excess of men who enlisted as three years volunteers.

This result will appear by the following statement :

The requisition of July, understood to be for	15,000
That for 19,080 nine months men is equal to one-fourth the same number of three years men, viz., (according to the method of computation followed in the Adjutant General's office at Washington,)	4,770
Total of both calls, when reduced to three years men,	19,770

The troops furnished by the Commonwealth, and not included in the previous statements, and to be credited against the aggregate last stated, were as follows, viz. :

Three Years Volunteers.

32d Regiment Infantry,	. 1,018 men, marched May 26,* 1862.
33d " "	. . 942 " " Aug. 14, 1862.
34th " "	. . 1,027 " " 15, 1862.
35th " "	. . 1,018 " " 22, 1862.

* Six Companies only marched at this date, and the residue afterwards.

36th Regiment Infantry,	. 1,015 men, marched	Sept. 2, 1862.
37th " " . .	979 " "	7, 1862.
38th " " . .	1,018 " "	24, 1862.
39th " " . .	987 " "	6, 1862.
40th " " . .	992 " "	8, 1862.
41st* " " . .	1,127 " "	Nov. 5, 1862.
9th Battery Light Artillery, .	152 " "	Sept. 3, 1862.
10th " " " .	156 " "	Oct. 14, 1862.
1st Unattached Co. H. Art.,	147 " mustered	Feb. 26, 1862.
2d " " " .	140 " "	Nov. 3, 1862.
3d " " " .	156 " "	Dec. 31, 1862.
Recruits for old Regiments and Companies, . .	5,209 " "	marched at various dates.
10 Reg'ts and 5 Companies and Recruits for 3 y'rs., .	16,083	

Nine Months Volunteers.

3d Regiment Infantry,	. 1,007 men, marched	Oct. 22, 1862.
4th " " . .	982 " "	Dec. 17, 1862.
5th " " . .	997 " "	Oct. 3, 1862.
6th " " . .	913 " "	Sept. 1, 1862.
8th " " . .	962 " "	Nov. 7, 1862.
42d " " . .	998 " "	19, 1862.
43d " " . .	1,024 " "	Oct. 24, 1862.
44th " " . .	1,023 " "	22, 1862.
45th " " . .	1,005 " "	24, 1862.
46th " " . .	983 " "	Nov. 1, 1862.
47th " " . .	1,024 " "	29, 1862.
48th " " . .	996 " "	Dec. 27, 1862.
49th " " . .	948 " "	Nov. 21, 1862.
50th " " . .	964 " "	19, 1862.
51st " " . .	961 " "	11, 1862.
52d " " . .	940 " "	19, 1862.
53d " " . .	958 " "	18, 1862.
11th Battery Light Artillery,	152 " "	Oct. 3, 1862.

17 Regiments and 1 Company
or Battery, . . . 16,837

* Afterwards, with unattached Companies, forming the 3d Regiment of Cavalry.

Reduced to three years' men, they would be equal to	. 4,209
Three years' men brought forward,	. 16,083
Total,	. 20,292
Amount of the two calls, reduced to three years' men, as above stated,	. 19,770
Excess up to January 1, 1863,	. 522

Since the 1st day of January, 1863, there has been a steady, persistent system of recruiting going on under the direction of the State Government, which has been continued without relaxation even during the enforcement of the draft of July last, by which means there have been raised, during the last year, and previous to the latest call of the President, of October 17th, 1863, (making a rest on that day because all subsequent musters are to be credited against that call,) and in excess of all specific calls by the United States government, the following troops :

2d Regiment Cavalry,	. 1,190 men, marched Feb. & May, '63.
New Battalion for 1st } Regiment Cavalry, }	. 60 "
2d Reg't Heavy Artillery, .	1,073 " " Sept. & Nov. '63.
4th Unattached Co. H. Art.,	152 " mustered April 22, 1863.
5th " " " .	144 " " June 6, 1863.
6th " " " .	133 " " May 19, 1863.
7th " " " .	178 " " Aug. 14, 1863.
8th " " " .	135 " " Aug. 14, 1863.
9th " " " .	141 " " Aug. 27, 1863.
10th " " " .	132 " " Sept. 16, 1863.
54th Regiment Infantry, .	1,029 " marched May 28, 1863.
55th " " .	1,023 " " July 21, 1863.
12th Battery Light Artillery,	135 " " Jan. 2, 1863.

13th Battery Light Artillery,	147 men, marched Jan. 31, 1863.
15th " " "	172 " " March 9, 1863.
Recruits for old Regim'ts } and Companies, . . }	509 " " at various dates.
4 Reg'ts, and 11 Co.'s, and } Recruits for three yrs., }	6,353
Making, in addition to the pre- vious excess of . . .	522
A total excess of . . .	6,875

This is reached without including the product of the late draft, (July, 1863,) of which I shall speak hereafter, and not including the three months militia, nor the Massachusetts men enlisted in organizations of other States, nor the large numbers in the Navy, estimated at an aggregate of 12,000 seamen and marines, nor our men enlisted in the regular army. But it has recently been represented that previous to July, 1862, while Massachusetts had furnished all the troops ever asked from her, and many more, and while she was urging upon the War Department troops which the Government of the United States did not accept, and while, as a consequence, thousands of Massachusetts men were enlisting in organizations of other States,—that previous to July, 1862, Massachusetts ought to have furnished a larger number than she could prevail upon the General Government to accept. In other words, there is charged against us an estimated proportion or *pro forma* quota of

all the three years volunteers furnished by the loyal States prior to July, 1862—amounting

1.—In the aggregate to 34,868 men.

(This reckoning charges us with our proportion of men furnished by other States, when no call was made on the State for any contingents or quotas and when our offers were in excess of the troops accepted.)

2.—It is also declared that our real quota of the three years men called for in July, 1862, was not 15,000; that we erred in supposing that to have been the number; and that the correct number was . . . 19,080

3.—Adding to these numbers 19,080 nine months men, equivalent when reduced to three years men, to 4,770

These items present a total of either actual or *pro forma* calls previous to the draft of July, 1863, of 58,718 men.

Even if this view should be taken of what was due from Massachusetts, she has raised, as I have stated above—

Previously to July, 1862, ...	32,250
Under the call of July, 1862, ...	16,083
16,837 nine months men, equal, when reduced to three years men, to	4,209
Volunteers enlisted and mustered between January 1, 1863, and October 17, 1863, ...	6,353
	58,895

Making, even with this understanding of the quotas, a surplus of 177 men. And this result is arrived at without reckoning the service of the *three months militia* whom we have furnished,—and reckoning twelve soldiers enlisted for three months as of military

value only equal to four men enlisted for nine months, or to one man enlisted for a term of three years, these would amount to 311 more, making up a surplus of 488 above all actual and constructive demands.

Thus far, this enumeration has pursued the method understood to be adopted in the office of the Adjutant-General at Washington. It assumes the value of each soldier to be proportioned to the term of his enlistment, crediting all three years volunteers according to their aggregate number, and all others according as the length of their respective terms of enlistment is proportioned to the term of three years. Thus, each three years volunteer counts *one*, in crediting the States with their volunteers, while four volunteers for nine months' service count only one, since one term of three years' service is equivalent to four of nine months. It has been the effort of what we deemed sound policy in this Commonwealth, to encourage enlistments for the longer rather than the shorter terms, not only because of the greater economy and superior military efficiency thus promoted, but also for reasons apparent from the statements just made.

But the enumeration after the method explained, although equitable in itself and on the whole, does not exhibit the entire number of men contributed to the military service of the United States by this Com-

monwealth, numbers of whom, though enlisted for shorter periods than three years, deserve to be remembered irrespective of all the convenient rules of computation observed in comparing the services of living men, because they gave themselves for no term of months or years, but for the measure of their life-time, and *died* in the service and for the cause of their country.

The aggregate numbers in the different classes of our whole contribution of soldiers, are as follows :

For three months, 5 regiments, 1 battalion, 1 company.	3,736 men.
36 days, 1 company, (Boston Cadets.) . . .	117 "
3 months, 1 company, (Capt. Staten's.) . . .	101 "
4½ months, 1 company, (Salem Cadets.) . . .	131 "
6 months, 1 company, (8th Light Battery,) . . .	155 "
9 months, 17 regiments, 1 company, . . .	16,837 "
3 years, 41 regiments, 34 companies, and recruits	
for same, ...	54,531 men.

Making a final total of men sent by Massachusetts into her own organizations into the military service of the United States, on the land, during the present war, previously to Oct. 17, 1863, of 75,608 men.

In this connection it may be remarked that any apportionment among different States, of their contributions to the armed force of the country, in order to be equitable and just, ought to be made according to the number of able-bodied men between the ages which are fixed as the limits of liability to military service ; and not according to the whole population,

which consists partly of women, children and aged persons, in proportions that vary in different States. A newly settled community, which has drawn within its limits the active, vigorous and enterprising young men from other portions of the country, must necessarily have a larger share of able-bodied men within the military ages, than an older State, of whose population many of the active and hardy men of the military ages have emigrated to the West, leaving behind them a disproportionate number of the old and feeble, and of women and children. Unless, therefore, a careful enrolment is made, of those alone who are liable and able to do military duty, and unless the drafts into military service are apportioned according to such an enrolment, injustice will be done to those communities which have the smaller proportions of men within the military ages and capable of bearing arms.

Having in view such considerations, the Provost-Marshal-General of the United States remarks, that in executing the law of Congress of March 3d, 1863, properly termed the "Draft Act,"

"The main object was to apportion the number among the States, so that those previously furnished and those to be furnished would make a given part of their *available men*, and not a given part of their *population*."

This was rendered practicable by the terms employed in the last-named Act, in reference to the duty of the President “in assigning to the districts the number of men to be furnished therefrom.”

The Act, in one word, evidently contemplates, for the first time, basing requisitions for men on the enrolled military strength, and not on the population of the States, the inequality of which latter method is illustrated in the same report of the Provost Marshal General, by the testimony there found that under former calls

“Some of the Western States, with quotas nearly as large as some of the Eastern, not only furnished their quotas and a large excess besides, but had a larger proportion of males left than Eastern States which had not entirely filled their quotas.”

At the time when troops were accepted from other States and the volunteers of Massachusetts were declined, the Government did not probably contemplate the possible future exercise of the high prerogative implied in the enforcement of a draft for the military service. Nor had it perhaps the means of then adjusting, without delay, the acceptance of volunteers from the several States in due proportions. There were many unavoidable circumstances, not easily detailed but quite easily under-

stood, which disturbed the equality of their distribution. And it should be remembered also that prior to the Act of 3d March, 1863, the laws of Congress required that the President, in making any requisition on the States respectively, should have reference to the numbers then in service from the several States, equalizing, so far as practicable, the numbers furnished by them, according to "Federal population," or (as it is also styled in the national statutes,) "representative population."

I intend to apply no criticism, in any thing which this Address may contain, on any department or functionary of the United States Government. On the contrary, I believe that the President and the Secretary at War have at all times sought to distribute the burdens, and their credits, upon and among the loyal States in obedience to the laws of Congress, and with a disposition to recognize the just demands of them all. But I have deemed it my duty to prepare this statement of the relation of Massachusetts to the volunteer contingents of the Union, with careful, and perhaps tiresome, elaboration, because I was unwilling to leave the history unwritten of that truth which is always the vindication of the people of Massachusetts. When those who struggled to relieve themselves from the exactions of the draft of last

July, complained, even without reason, and in a spirit of insubordination; when they pointed at Massachusetts, and accused her of non-fulfilment of her duties, stimulating hostility against Massachusetts in the minds of those who dreaded the military service, disliked the national administration, opposed the war much, and the principles and ideas of Massachusetts more,—still I was silent. But, for the sake of the record, and for the truth of history,—not permitting the Commonwealth to be drawn into a discussion elsewhere unworthy her service or her character—I have now spoken, presenting to the Representatives of her People the recorded particulars from which history will hereafter be written.

The Draft.

The draft for soldiers, prosecuted under the direction of the Federal Government, was based on an enrolment made by its officers, of 107,386 men between the ages of twenty and thirty-five years, and denominated the “first class.” The “second class” were enumerated at 56,792, making the whole enrolment 164,178 men. The whole number drawn was 32,079, of which 22,343 obtained exemption. Of this number 3,044 have failed to report. Of the number drafted, 6,690 were held to service. Of these

743 rendered themselves for duty personally ; 2,325 are represented by substitutes ; 3,622 paid the sum required by law, in commutation.

The experience of all military nations in modern times, favors the adoption of a reasonable system of commutation of military service in money. And notwithstanding the gust of apparent unpopularity which attached to the provision in the National Enrolment Act permitting such a commutation, I have never doubted either its wisdom, expediency or humanity. Indeed, I think its supposed unpopularity was only apparent, and not real. Its repeal would tend to deprive all but the rich of the luxury of a substitute. It would introduce to a golden harvest a class of men whose traffic would be detestable for its cupidity, oppression and injustice. Their trade would be injurious to the service, dangerous to the community, unjust to those demanding substitutes, and equally unjust to the men offering themselves in supply. The only system compatible with the public good is that which demands but one maximum price as the condition of exemption, which prevents panic and competition, creates but one market, and but one bidder for substitutes, and leaves their procurement to the control of the government.

I respectfully suggest, however, that the duty of providing men for the military service does not equitably rest on the shoulders of those men only, of military age and capacity. In the last resort, and when the exigency is adequate, I admit that it *may* become their duty to bear it alone, because when at last the final struggle comes, it is the duty of every man according to the measure of his power, whether of mind, body or estate, to do whatever he can to save his country. But while a community is prosperous and its means abundant, both sound policy and natural justice require that all who share the benefits conferred by the soldier upon his country, should also help the soldier to bear his burden. In order that any shall have a home it is needful that some should go abroad to defend it: and those who remain ought to assist in rendering it reasonably convenient for others to go.

But the welfare of human society never fails to require of the statesman economy of all its resources. The extravagance of to-day only foretells the poverty of to-morrow. Economy itself may demand liberality of expenditure, but it never permits the wasting of resources. Nature, even, boundless in her capacity, uses only what she needs. The duty of suppressing the rebellion involves that of restoring

and reconstructing order, society, civilization, where treason and slavery have subverted them, of maintaining them wherever they still exist, of encouraging every benignant, beautiful and useful art, of enlarging the boundaries of knowledge, virtue and truth. This duty involves not merely preserving that political organization known as Government, that combination of States we call our Union, or that fundamental framework of law, its Constitution. Preserving these as invaluable means and opportunities, the work before us involves the duty of perpetuating, securing and amplifying the rights, the freedom, and the welfare of all that portion of mankind whose allegiance our country may rightfully claim.

Considering how vast the responsibility, the extensiveness of the field, the protean shapes innumerable in which that duty is to be encountered, the millions of men who are to be affected, and the infinite years to be influenced by what we do, I cannot but feel that there is no peril from war half so tremendous as those which follow from temporizing, short-sighted or superficial state policy. Even in raising soldiers to recruit our army, we must look beyond the campaign. In carrying on war, we must look through the war to the peace which lies beyond it. And in studying how by war to conquer a peace, we must look beyond the

peace itself we long for, and consider permanence, security, freedom, and progress. The duty peace will impose requires even while the war continues, the re-establishment of society wherever the army advances, or at least that its foundation shall be securely laid.

The husbanding of our means for all the uses to which they may be required hereafter, implies that they should be sometimes saved, sometimes distributed, sometimes used, but always with that discretion grounded in a clear purpose, which best adapts them to their ends. So, therefore, men should be sought for and accepted where men are abundant and where civil employment is deficient. But where the wants of a whole people demand all the efforts of labor, and capital waits to pay liberally for all that labor can perform to supply them, is it even doubtful economy for men to be there withdrawn from peaceful industry, unless the withdrawal is unavoidable?

Having sent into the field one man at least out of every three of her enrolled militia, at some time or another since the war began, and having spent for the service already not less than \$15,000,000, including municipal expenditures, but not including the National taxation, I do not think it unbecoming the people of this Commonwealth to suggest any measure of justice

tending to preserve her industry, her ability to be useful to the country, and yet to swell the ranks of the National armies. With this view, I think it not improper that she should be allowed to recruit her wasted regiments on the very fields where those regiments have borne the National flag with honor, and in the very States they have helped to grasp from rebel usurpation. Every man she might thus induce to join her ranks, would be one civilian saved to the National industry, one soldier added to the army of the Union, one the less possible victim of rebel conscription, one Union man of the South enjoying, in the form of a Massachusetts bounty, some compensation for the waste and want with which the rebellion had visited him. Now, whether white men or black men, why should we not be permitted to invite them to come? Why should we not encourage them by the pecuniary advantages of a remunerative service? Why not weaken the walls of the house of the enemy by attracting whatsoever supports them? And how could the mission be more actively prosecuted of disabusing misinformed southern men, and spreading over the South, now ruined by an insolent aristocracy, the principles of the democratic North? I venture to suppose that the opportunity offered to any inhabitants of the disloyal States of serving in the

regiments of the patriotic Free-State volunteers, of being helped and relieved by their bounties, of marching under their tried and experienced commanders, shoulder to shoulder with their intelligent veterans of the rank and file, would be the beginning of one of the many moral victories of the war. This measure, already proposed in Congress, of permitting all the loyal States to recruit for their volunteer corps in those States to which no contingents are assigned, I respectfully submit, deserves the support of the Legislature of Massachusetts.

Nevertheless, under whatever decisions and laws, —with fidelity and courage unswerving and indomitable,—*her People will do their duty.*

This proposition is of greater importance to the Nation than it is to Massachusetts. The organized, skilled industry constantly at work, the powers of water and steam harnessed into the service of man, the stupendous enginery of mechanical ingenuity, the brain-power wielding and directing all these vast and varied forces engaged in the production of wealth, comfort and the means wanted to maintain order, decorum, and the very existence of society, are of indispensable necessity to the whole country as a condition of maintaining her armies and of conducting the war. Whenever one community can furnish volun-

teers for our armies, and other communities can afford to pay them to come, but cannot afford to spare their own men from their own industry, the simplest political economy teaches the wastefulness of refusing to allow these balances to be adjusted by the laws of supply and demand. Not to do so seems to me as it would seem in mechanics to reject the use of the lever, and to insist on moving all bodies by a dead lift.

Do not understand me to claim any preference in our own behalf; nor in behalf of the New England States; nor of any communities whose combinations of labor and capital—whose industry—corresponds to theirs. The argument applies of course alike, wherever the facts agree; and the conclusions which follow from the facts are the deductions of inexorable logic. Do not understand that I would have such communities exempted from furnishing a proportion—perhaps a major part—of their contingents, from their own population. There are those in nearly every part of the country who can be spared for the military service. There are those everywhere who desire ardently to render it. There are those who ought not to be exempted from it. And I only suggest that all the States should be allowed to recruit for their own regiments to the amount of a certain proportion of the quotas of the new levies

assigned to them, within those States on which no requisitions are made.

I have heard, in substance, but one argument in opposition. It is simply the argument based on a supposed jealousy on the part of certain States of the West or Northwest, against some of the older Commonwealths where moneyed capital is more abundant. But can it be imagined that a great question of public economy,—the supreme interest of all people in all the States that the Arts of civilization shall not fail, and that Industry, which is their foundation, shall not be broken down,—is to be settled against the universal interest by a sentiment of local jealousy? Those who suggest it underrate their own constituencies. But if they are right, then let Massachusetts be specially excluded from the arrangement. Let all New England be excluded. But let *other* States be privileged to recruit in the manner I have suggested. It is worth the while, simply for the political and military strength to be gained to our own cause, and the weakness it would communicate to the enemy; and Massachusetts, I am sure, will be content to wait a while for justice and better views to obtain.

A State system of recruiting, both of white and colored men, in the rebel States, will succeed. A

Federal system will only partially succeed. The difficulties inherent in bureau-operations I do not think under the Federal system can be seasonably overcome. The States raise State volunteers more rapidly everywhere than troops can be otherwise accumulated. It has always been so. The work can be popularized by their measures and can be accommodated to familiar traditions and methods. When committed to the Federal government it is done only after the methods and traditions of the regular army, which are intrinsically ill adapted to the task. It is well systematized, but it wants life and inspiration. All experience I have known, down to this very hour, has helped to establish the opinion I have just expressed. Troops cannot be suddenly raised, nor without considerable time occupied in the work, either by any means of volunteering, or by conscription. The reasons are both moral and material. They were little less apparent in the summer of 1861 than they are now. With a constantly maintained and systematic plan of State recruiting I am confident that Massachusetts will never fail of furnishing her military contingents. But, in order to succeed well, the system pursued should never be suspended ; it should be uniform and co-operative. Bounties should be equal, paid by the government, on a maximum subject to reduction and not inflexibly the same.

New England and the Northwest.

There ought to be absolute sympathy of feeling, as there is community of interest, between New England and the States of the West. By the census of 1860, 560,336 of the children of New England, natives of her soil, were residents of other States and Territories. Of the inhabitants of Massachusetts in 1860, 970,952 were American born, 805,546 were natives of the Commonwealth,—the residue of her population being either foreign to the State or to the country, by their birth. But she had contributed to other States and Territories 160,692 of her own children. Of these 16,313 were found in Ohio, 9,873 in Michigan, 3,443 in Indiana, 19,053 in Illinois, 3,719 in Minnesota, 12,115 in Wisconsin, 6,214 in Iowa. And in Kansas, where in 1855 she made haste to hoist the flag and practically assert the principles of Liberty, and where her sons have repeatedly sealed their testimony with their blood, 1,282 natives of Massachusetts continued to guard the outposts of Freedom, always menaced and frequently assaulted by the foes of our common country and the supporters of slavery.

More than fifty millions of dollars of New England capital, invested in the railroad enterprises of the Great West, (to say nothing of a probably equal

amount expended in lands, or employed in loans and in personal property,) and twenty-five millions invested in mining, have been used to develop the splendid capacity and resources of those youthful but sturdy Commonwealths; while within the last twenty years, three millions of dollars, at least, and how much more I know not, in voluntary contributions have found their way from New England, flowing in numerous rills of philanthropic and religious charity, to the churches, the schools, and the other institutions of the West devoted to learning and religion. The young men and maidens who annually migrate thither from these Eastern Commonwealths, are not only drawing after them their share of the paternal inheritance, but are always weaving a sympathetic net-work of affection, reaching to cradle and prairie farm, from the old homesteads and churchyards of New England. During the last session of the Federal Congress, the people of the Great Northwest enjoyed and recognized both the friendship and the comprehensive statesmanship of the Eastern representatives, in the almost undivided support extended by New England to the project of uniting the Great Lakes with the Mississippi River, as a National measure, by a ship canal.

In respect to the quantity of Northwestern food

consumed in New England, no means yet exist, to my knowledge, of statistically presenting the subject in precise detail. That could only be done after carefully ascertaining the quantities carried into New England by the railways, and the coasting vessels from all the ports on the Hudson. Reasoning from a few known elements of calculation, it may, however, be satisfactorily estimated.

Foreign statistical writers differ considerably in their estimates of the cereal consumption of nations. McCulloch states the yearly consumption of England at one “quarter” of wheat, or eight bushels to each inhabitant. France, feeding more on bread and less on meat, is estimated as high as ten bushels. But New England, consuming largely of fish and other animal food, possibly may not exceed seven bushels to each person. At seven bushels each, her 3,135,293 inhabitants would consume 21,947,051 bushels.

The census of 1860 shows that her own product of the principal cereals was:—

Of wheat, only	1,077,285 bushels.
rye, only	1,417,560 “
Indian corn, only	9,099,570 “
Total yield of these cereals grown in New	—————
England, ...	11,594,415 bushels.

But Massachusetts, with a population of 1,231,066, produced less breadstuffs in proportion than either of

the New England States. While her population would, at seven bushels each, call for 8,617,462 bushels, her actual production of cereals was:—

Of wheat, only	119,783 bushels.
rye, only	388,085 “
Indian corn, only	2,157,063 “
Her total being only	2,664,931 bushels.

Her residue of breadstuffs, purchased of the region to the North and West, allowing seven bushels for each inhabitant in the year 1860, was 5,952,531 bushels; or, if she consumed at the rate of eight bushels,—the computation of English consumption by McCulloch,—her purchase must have been 7,183,597 bushels. More than seven-eighths of the whole cereal yield of Massachusetts was Indian corn, of which a very large portion must have been fed to animals. Her proportional purchase, therefore, must have been much larger than the average purchase of New England. The annual consumption of purchased flour by New England,—at an estimate which is sustained by the computations I have already made,—is something near 3,500,000 barrels, or more than one barrel to each inhabitant. In the year 1862, more than 800,000 barrels of Western and Northern flour were sold in Boston for domestic consumption, or three-fourth of a barrel for each person in Massachusetts;

which number I assume must have been equalled by the sales in other marts of the State.

But, to abridge a discussion which would be too protracted were the statistics to be pursued into greater detail, I venture to affirm the conclusion that the consumption of Western agricultural products within the six States of New England, including flour, grain and animal food, used for the support of man and the forage of cattle, swine and horses, during the year 1863, reached the value of \$50,000,000, the proportion of which taken by Massachusetts exceeded \$20,000,000.

Beside this, it must be remarked that the mills of New England are manufacturing wool at the rate of not less than eighty million pounds annually, producing two-thirds of the woolen fabrics made in the United States. Perhaps thirty-five million pounds are imported from foreign countries. The remaining forty-five millions or more is American grown, being about two-thirds of the whole clip, (according to the last census,) to which New England affords a market. Her own clip of wool in 1860, was less than seven millions of pounds, out of about forty-nine millions produced in the loyal States. Massachusetts, while she raised not more than $\frac{1}{14}$ th of the clip of New England, or about $\frac{1}{100}$ of the clip of the loyal States, or $\frac{1}{150}$ th

part of all the wool made into American goods, manufactured one-third of all the woolen fabrics made in the Union. Beside all this, there is the carpet and coarse blanket wool, now manufactured in New England to the quantity of twenty millions of pounds.

Western Transportation.

These calculations and statistics establishing our power of consuming Western products illustrate also the importance to the West of extending its market by the cheapening of transportation ; the importance to consumers of all classes, of cheapening food by increasing the means of direct and economical transportation ; the importance to the commerce of Boston, of bringing food, which, whether arriving here in the forms of grain, flour, lard, live animals, or cut meats, is becoming of more and more commanding value in our commercial exchanges ; the importance of abundant and cheap transportation for *fuel*, as well as for food, if we would maintain the manufacturing power of New England. On the prosperity of these manufactures depend not only the support of the artisans and laborers they employ, the thrift of the villages they have created, but the domestic markets for vegetables, milk, fruit, poultry, and other products of the field, the orchard, and garden, which yield revenue to our own farmers.

An adequate treatment of this subject includes a consideration, not only of the procurement of cheap and abundant food for our own eaters, of prosperity to our manufacturers and mechanics, of lively domestic markets, of local welfare all over Massachusetts, but of our growth and permanence as a commercial people. It spans the ocean, it scales the mountains, bridges the rivers, and steams over the great lakes, strengthening us at home by its unifying of interests between West and East, and contributing to the power, influence and ubiquity of our commerce on every sea.

GENTLEMEN OF THE SENATE AND

OF THE HOUSE OF REPRESENTATIVES :

Several topics—among others, of the militia—omitted from this address, already long, can be better matured hereafter, should occasion demand their discussion. I must not omit to bear public testimony again to the efficient manner in which the recruitment of volunteers is conducted through the municipal governments. The work is brought directly home to the people. Led by their own local magistrates, it is patriotically done. Time, an element not usually understood, will enable them to fill our contingent. I can never express my

sense of the sublime devotion to public duty I have witnessed in this people from my watch-tower of observation ; nor the gratitude I owe for their indulgent consideration.

But the heart swells with unwonted emotion when we remember our sons and brothers, whose constant valor has sustained on the field, during nearly three years of war, the cause of our country, of civilization, and liberty. Our volunteers have represented Massachusetts, during the year just ended, on almost every field and in every department of the army where our flag has been unfurled. At Chancellorsville, Gettysburg, Vicksburg, Port Hudson, and Fort Wagner, at Chickamauga, Knoxville and Chattanooga—under Hooker, and Meade, and Banks, and Gillmore, and Rosecrans, Burnside, and Grant,—in every scene of danger and of duty, along the Atlantic and the Gulf, on the Tennessee, the Cumberland, the Mississippi and the Rio Grande,—under Dupont and Dahlgren, and Foote, and Farragut and Porter,—the sons of Massachusetts have borne their part, and paid the debt of patriotism and valor. Ubiquitous as the stock they descend from, national in their opinions and universal in their sympathies, they have fought shoulder to shoulder with men of all sections and of every extraction. On the ocean,

on the rivers, on the land, on the heights where they thundered down from the clouds of Lookout Mountain the defiance of the skies, they have graven with their swords a record imperishable.

The Muse herself demands the lapse of silent years to soften, by the influence of Time, her too keen and poignant realization of the scenes of War—the pathos, the heroism, the fierce joy, the grief, of battle. But, during the ages to come, she will brood over their memory. Into the hearts of her consecrated priests will breathe the inspiration of lofty and undying Beauty, Sublimity and Truth, in all the glowing forms of speech, of literature and plastic art. By the homely traditions of the fireside—by the head-stones in the church-yard, consecrated to those whose forms repose far off in rude graves by the Rappahannock, or sleep beneath the sea,—embalmed in the memories of succeeding generations of parents and children, the heroic dead will live on in immortal youth. By their names, their character, their service, their fate, their glory, they cannot fail:—

“ They never fail who die

In a great cause; the block may soak their gore;
Their heads may sodden in the sun, their limbs
Be strung to city gates and castle walls;
But still their spirit walks abroad. Though years

Elapse and others share as dark a doom,
They but augment the deep and sweeping thoughts
Which overpower all others, and conduct
The world at last to FREEDOM." x

The edict of Nantes maintaining the religious liberty of the Huguenots gave lustre to the fame of Henry the Great, whose name will gild the pages of philosophic history after mankind may have forgotten the martial prowess, and the white plume of Navarre. THE GREAT PROCLAMATION OF LIBERTY will lift the Ruler who uttered it, our Nation and our Age, above all vulgar destiny.

The bell which rang out the declaration of Independence, has found at last a voice articulate, to "Proclaim Liberty throughout all the Land unto all the Inhabitants thereof." It has been heard across oceans, and has modified the sentiments of cabinets and kings. The people of the old world have heard it, and their hearts stop to catch the last whisper of its echoes. The poor slave has heard it, and with bounding joy, tempered by the mystery of religion, he worships and adores. The waiting Continent has heard it, and already foresees the fulfilled prophecy, when she will sit "redeemed, regenerated and disenthralled by the irresistible Genius of Universal Emancipation."

DOCUMENTS

ACCOMPANYING

GOVERNOR'S ADDRESS,
1864.



[I.]

PLEURO-PNEUMONIA.

*To the Honorable the Senate and House of Representatives
of the Commonwealth of Massachusetts :*

The Commissioners on contagious diseases of cattle, in their report of January, 1863, stated that there was not then a visible case of the disease called pleuro-pneumonia existing in the State. In February following, they were called upon to visit supposed cases on the farm of Wm. P. Childs, in Waltham, and subsequently, communicated the result of their investigations to the legislature, stating that they were unable to trace the origin of the disease in that herd. It was afterwards ascertained that the disease had existed in Lexington, in "a secret hiding place," for several months previous.

The course taken was first to isolate the herd of cattle in Waltham, after which, active measures were taken to discover the origin of the outbreak. The dealer, of whom Mr. Childs had purchased cattle, denied having any reason to suspect the existence of the disease in his herd, consequently the markets where the cattle were purchased were visited, and when no traces of the disease could there be found, it was feared that all efforts to control the malady would be fruitless.

Several weeks elapsed before it became known that other herds were infected, and that many animals had perished from the disease. The expenses already incurred having exhausted the appropriation of \$1,000 made by the legislature, report of the fact was made to the executive department,

the opinion of the attorney-general of the Commonwealth was taken as to the individual liabilities of the Commissioners, the result of which was the stopping of all farther proceedings, and the resignation of the Commissioners.

To eight herds, in which there was satisfactory evidence that the disease existed, it was ascertained that the infection was communicated by cattle purchased of the dealer before alluded to as having denied the existence of the disease in his herd, and in most cases the cattle purchased of him were the first attacked. It was estimated by the Commissioners, in May last, that the expenditure of \$3,500, in addition to the appropriation of the legislature, would have arrested the disease at that time. Satisfactory evidence is now at hand that it will require \$10,000 to cover the loss since sustained by State, towns, and individuals, in consequence of leaving the disease to take its course.

In several instances, where the disease has broken out, the owners of cattle have disposed of them without calling upon the authorities for recompense, and if *all* the cattle that have been exposed to the disease had been disposed of in such a manner as not to endanger others, doubtless no one would complain. But the character of this disease is so insidious, that it is impossible for owners, or any one else, accurately to determine the existence or non-existence of the malady, and cattle may be disposed of in such a manner as to carry the contagion to many herds; hence the necessity of most stringent measures for arresting the disease at the outset. To accomplish this effectually, there should be in existence an active Board of Commissioners. The result of leaving the matter to the local authorities of towns has been disastrous. This is owing, in great part, to the circumscribed action of such local authorities. They cannot reach the sources of the disease. By the statute, the Commissioners have full power to visit any locality in the State, and require any persons to testify under oath as to their knowledge of the existence of pleuro-pneumonia in their vicinity; hence the fear of detection and punishment deters many from

sending cattle that have been exposed to the public markets to be sold ; but as selectmen can only act within their own municipalities, such cattle can be sent beyond the town limits, and sold without restraint.

If no Board of Commissioners be appointed, and no active measures are to be taken by the State to prevent the spread of the disease, then it would be important that all laws relating to payments for infected cattle slaughtered should be repealed, otherwise an unprincipled owner may sell a cow infected with the disease, into a herd of sixty or more, and the owner of the latter may, when his cattle are taken sick, call in the authorities, and the town and State will be obliged to pay large sums of money without thereby effecting any thing towards the arrest of the disease.

The importance, as a sanative measure, of checking the spread of a contagious malady like this, has never been considered here as it should be. In England, where the trouble has become wide-spread through inattention and neglect, active measures are now being taken to counteract the evil. These strenuous efforts are being made to prevent the sale of diseased meat, a business of great extent in that country, and which has but just commenced in this. The effect of selling the meat and milk, in that country, of diseased cows, is now known and felt, and even perceptible in its vital statistics. It will be so here, unless prompt and efficient action is taken to prevent it.

Respectfully submitted,

JAMES RITCHIE,
E. F. THAYER,
HENRY L. SABIN,

Late Commissioners on Contagious Diseases of Cattle.

Boston, Dec. 9th, 1863.

To His Excellency JOHN A. ANDREW :

SIR,—In accordance with an intimation from your Excellency, I have the honor to lay before you the following account of experiments on pleuro-pneumonia among cattle, made in Cambridge during the past year.

April 10, 1863, a letter was addressed to your Excellency, asking leave to make these experiments at my own expense. This letter was referred to the Committee on Agriculture, and at a hearing before that Committee, April 16th, I was requested to state my reasons for undertaking the experiments. These reasons were briefly as follows:—

1. Pleuro-pneumonia is now existing in Waltham.

2. It is admitted, by believers in its contagiousness, that there are two forms of the disease, one contagious and the other non-contagious, the symptoms and anatomical appearances of which are similar, and which cannot be distinguished otherwise than by the fact of transmission. Consequently each outbreak of the disease requires examination.

3. Experiments upon the contagious, epidemic or local character of disease can only be undertaken at a distance from the place where the disease already exists. Just as the contagiousness or non-contagiousness of intermittent fever (chills and fever) could only be determined by experiments out of the place where it exists.

4. No experiments are known to have been made upon the disease now existing.

April 29.—I was notified that a Resolve had received the signature of the governor granting me “leave to make experiments on pleuro-pneumonia among cattle, so far as relates to the laws of transmission, at his own expense,” and directing the cattle commissioners “to place at his disposal cattle belonging to the Commonwealth, for this purpose.”

May 12.—In accordance with this resolve, the cattle commissioners allowed me to take from a herd in Lexington a cow which had been sick but a few days, and which they believed to be in a good condition to transmit the disease.

The cow was carried to Cambridge in a covered wagon, arriving soon after daylight, to avoid possibility of communicating infection on the road.

May 15.—Three cows were received from a herd in Waltham. One of them had been ill four days. The other two were never known to have been ill, although they had been stalled in a barn with cattle ill with pleuro-pneumonia. They were supposed to be perfectly healthy. The sick cow was carried in a wagon; the others were driven, and arrived early in the morning.

May 22.—A cow and heifer were received from Maine, from a region in which pluro-pneumonia is not known to have existed, and were brought by water to Boston.

The sick cows above mentioned were very sick, and exhibited unquestionable evidence of pleuro-pneumonia. They were kept entirely by themselves, and not allowed to approach the place where the experiments were to be made. The Experimental Herd now consisted of seven animals, as follows:—

Two sick cows, one from Waltham, and one from Lexington.

Two cows from Waltham, which had made a part of a herd in which pleuro-pneumonia existed.

One cow from Maine, four years old.

One heifer from Maine, about two years old.

One cow, (a new-milch cow,) which had been owned by me two years.

As it was found impracticable to obtain any land upon which the experiments could be conducted, I selected my own grounds, in Cambridge. Here a shed was built, twenty-four feet long by twelve feet wide, open to the south, and closed upon the other three sides. The cattle were secured with their heads toward the open side. They were thus protected from sun and rain, and enjoyed a free ventilation. Around the shed a fence was built, to prevent the possibility of contact with other animals.

May 25.—The experiments were commenced by placing a healthy cow between the two sick ones. She was fed very sparingly, to make her get her food from the two neighbors, by which she would be exposed to their breath as much as possible, and made to swallow any saliva which might be dropped upon the hay.

Each animal was exposed in this manner for twenty-four hours, some of them more. After all had been exposed, one of the sick cows was killed, and the existence of pleuro-pneumonia fully confirmed by examination after death. The amount of disease was large; both lungs were diseased; their substance and the pleuro investing them. The disease was pronounced, by those present, pleuro-pneumonia, of the same character as that existing in Waltham and Lexington, and believed to be *contagious pleuro-pneumonia*.

The other sick cow was with calf, and was preserved for continued observation. The evidence of the existence of pleuro-pneumonia in this animal was believed by those present to be complete.

All these cows, except my own, were kept, after exposure, in the same shed, but were not allowed to come in contact with the remaining sick cow. They were fed on hay only. They were examined daily, and their condition recorded.

July 11.—Forty-eight days after exposure, the heifer from Maine, which had been recorded as well on the previous day, became sick; she lost her appetite; her pulse and respiration increased in frequency, and she exhibited other signs of fever. On the 13th, disease was discovered, by auscultation and percussion, to exist in the left side. In about a fortnight, this animal had begun to recover her appetite, and her pulse and respiration improved.

The other cows exhibited no signs of pleuro-pneumonia during the time of observation.

August 13.—The weather being very warm, the flies very troublesome, and the observations having now continued eighty days, the Maine cow, the Maine heifer, and the two

Waltham cows, were driven to Brighton, and there killed. Their appearances after death were as follows:—

The Maine Heifer was found to have well-marked pleuropneumonia of the left chest—the disease was subsiding; the other chest healthy.

The Maine cow perfectly healthy.

One Waltham cow healthy, except a slight adhesion over fifth rib on *left side*, and the spaces between the two adjoining ribs which could be covered with the palm of the hand. This adhesion was old, of a date much anterior to the commencement of the experiments.

Second Waltham cow also healthy, except an adhesion similar in appearance, and equal in age and extent with that just described over the fifth rib on the *right side*. The lung had been mutilated by some one previous to my examination, but contained no evidence of recent disease. No part of the flesh of these cows was allowed to be eaten by any animal.

My own cow has continued perfectly healthy to this time.

The remaining sick cow had apparently recovered, and on the 31st of October brought forth a healthy male calf, which has grown well, and remains well. Her milk is rich, and of a good flavor.

November 30.—This cow was again stalled with my own cow, to commence a new experiment.

It will be seen that the experiments with this herd are not yet concluded. The above are the facts thus far.

Conclusion.—It would be rash to draw general conclusions from an experiment so limited. The following are the results thus far obtained:—

1. Only one animal of the five exposed became diseased during an observation of eighty days.

2. The disease did not prevent the mother from bringing forth a healthy calf, which has continued healthy six weeks; nor has it prevented her from giving good milk.

3. It is probable the heifer would also have recovered.

4. In an economical point of view it would have been unwise, so far as this herd was concerned, to kill all the animals as soon as exposed ; whether we have regard to the value of the animals recovered, or the number which *apparently* became diseased *in consequence* of exposure.

These are the conclusions to which a *believer* in the *contagious nature* of the disease would assent.

A believer in *epidemic* or *local* influences as a cause of the disease would object that the experiments are not conducted at a sufficient distance [six miles] from the place where it is known to be rife ; that pleuro-pneumonia is epidemic among *pigs* in the immediate vicinity ; that epidemic pleuro-pneumonia among human beings has been known to extend over the whole of New England and New York. In fine, that the herds of Waltham are subject to similar influences as those in Cambridge, differing in *degree*.

These experiments have been undertaken not without considerable expense and trouble ; they are offered as a contribution to our knowledge of a most important disease among cattle, with the hope that they may be continued until definite results shall be arrived at, not only as to its contagion or non-contagion, but also with regard to other points interesting in an economical point of view, and not less so as it bears upon the study of comparative pathology.

I have the honor to be,

Your Excellency's obedient servant,

MORRILL WYMAN.

CAMBRIDGE, December 23, 1863.

AGRICULTURAL DEPARTMENT, STATE HOUSE, }
BOSTON, December 24th, 1863. }

To His Excellency JOHN A. ANDREW:

DEAR SIR,—The disease commonly called pleuro-pneumonia, still exists among the herds of some twelve or fifteen towns of this Commonwealth. The importance of an early consideration of the facts connected with its introduction and spread, can hardly be overstated, whether we regard it in a pecuniary or in a sanitary point of view. If we are to give up all effort to eradicate it, we must settle down into the conviction that we shall soon find ourselves in the condition of those countries in Europe where this disease exists, and from which it is now, probably, too late to attempt to get rid of it, owing to the fabulous amount of the cost.

What is that condition? The most moderate estimates fix the loss by pleuro-pneumonia alone, in the British Isles, at ten millions of dollars a year. The value of cattle lost by that disease amounts to two or three times the value of all the cattle imported. More than a million head of horned cattle died of pleuro-pneumonia in the six years ending with 1860, of a value of at least sixty millions of dollars. Nor is there any falling off, but on the other hand a rapid increase, so that in 1862 the prevalence of the disease, owing to sales in the markets and at the fairs, was greater than it had ever been known before. In one week, about the time I was in London, more than nineteen tons of diseased meat were discovered in that market alone.

These are startling facts, but they do not represent the whole truth. They fall far short of it, for we must consider the contamination of the animal food and of the dairy products of the kingdom, and the almost universal demoralization among a very large class of farmers, dealers and butchers, affecting the whole community, consequent on the reckless traffic in diseased meat.

“Horned cattle,” says a recent Report made to the Lords in council of Great Britain, “horned cattle affected with pleuro-pneumonia are much oftener than not, slaughtered on account of the disease, and when slaughtered are commonly, except their lungs, eaten; and this even though the lung disease has made such progress as to taint the carcass.”

“At present there is a keen competition for a cow affected in the last stage of pleuro-pneumonia, and with an ever-increasing scarcity of animal food, it is of daily, or rather of hourly, occurrence, that diseased town dairy cows realize from five to twenty pounds sterling.”

“Life stock insurance companies were formed immediately after the importation of foreign diseases, and these companies found, what farmers had discovered, that it was better to kill for the butcher than to treat animals affected with disease, so that in many ways, the slaughter of diseased stock as human food has been sanctioned and encouraged.”

Professor Gamgee, a man of high scientific attainments as a veterinarian, and having the confidence of the British government as such, says:—

“The traffic in diseased animals is impoverishing stockholders and the country at large. My calculations, made under the most favorable circumstances, show that the United Kingdom never loses less than eight millions sterling (forty millions of dollars,) by disease amongst cattle, sheep, and pigs. Half that loss is annually due to foreign contagious diseases.”

“The meat-consuming public is paying fifty millions of dollars a year more now, for the same amount of meat, than it did in 1841, the year before the importation of the disease.”

“One inspector (of markets,) said that if he was called upon to exclude from market animals affected with contagious diseases, he must exclude two thousand animals out of Islington market on many a Monday morning.”

“It was altogether a mistake to believe that diseased meat is sold to the poor. There are many diseased cattle eaten, whose real state could only be told at the time of slaughter.”

The contamination of the animal food supplies, “has affected the health of the people to an extent becoming more and more appreciated the more the subject is investigated.”

“The tens of thousands of carcasses of diseased animals, sold in large towns, are stealing life from human beings when and where we least expect it.”

“Last year,” says Gamgee, employed in extensive investigations under the authority and direction of the government, “my opinion became confirmed that the flesh of cattle affected with pleuro-pneumonia, when eaten by man, induces boils and carbuncles to an incredible extent.”

His observations were carried on in three establishments—one where fifteen hundred men were known to be supplied with diseased meat; another where several hundred soldiers were in a similar condition; and another where seventy persons fed on the flesh of cattle diseased with pleuro-pneumonia. They were “seized occasionally with vomiting, diarrhoea, abdominal pains, &c., and have traced such accidents to the meat to such an extent that many refused to eat it. Circumstances compel me to withhold farther details.”

What a record do these extracts contain! Can any one, after reading them,—and innumerable others of a similar import might be added,—avoid the conclusion that any thing which may be said or done that shall have the effect to retard prompt and energetic action for the removal of this great curse, now that we have it in our power, is a monstrous play upon human life?

I could give innumerable details to show the similar condition of France, and, in fact, of nearly every country of Western Europe, were it desirable.

But to return. If we have determined to give up all effort to eradicate the disease, as the course of the last legislature would seem to imply, we should, at least, take some action to protect ourselves from the sale of the products of diseased animals thrown upon our markets in

the shape of milk and beef, which has already happened, and which is sure to increase.

The law, as it now exists, is quite inadequate for the protection of the community, as the experience of the past few months has shown. The municipal jurisdiction of the officers of towns is too limited to enable them to work efficiently, even if they were, in all cases, fully prepared, with a requisite knowledge of the disease, to grapple with the facts as they are brought to their notice. But in most cases they are not, and they find themselves embarrassed with duties to perform under the law, with a jurisdiction limited to town boundaries, with no power to put men under oath to elicit the truth, and during the hesitation and delay, incident, perhaps, to imperfect knowledge of their powers and duties, the disease gets beyond their reach by the driving of animals over the town limits, to the great markets or elsewhere, carrying contagion in their way, and infecting other herds. An animal worth less than twenty-five dollars may thus, as has been the case the past season, convey the infection to and destroy two or three thousand dollars worth of stock. If the evil ended here, it might be borne; but each animal so infected may go out into the community and become a new centre for the distribution of the disease. The injury has no fixed limit, unless we suppose every owner of stock too honest to attempt to realize the full value of an animal that he begins to get suspicious of.

If there could be a cordial and united co-operation on the part of the community, there is still a reasonable certainty that this disease could yet be extirpated.

It is not too much to say that a small appropriation made by the last legislature, from three to five thousand dollars, would have kept the disease wholly in check, if indeed, it had not entirely eradicated it. Now a moderate estimate of the losses during the past season, to individuals, the towns and the State, would be at least ten thousand dollars, and in all probability they have been twice or three times that sum.

But a far more serious consideration than the actual losses which have already occurred, is the fact that the disease has got so much further beyond control.

There would seem to be no longer any reasonable doubt that the disease is contagious and dangerous to a very high degree. Every step of its history in this State has shown this to be the case, even if it had not already been well known before, from its history abroad. It is generally conceded that of the animals exposed, some twenty or thirty per cent., say about twenty-five per cent. on an average, will die. About twenty-five per cent. will take the disease and still live, but in a condition worse than death, so far as any profitable use is concerned. Another twenty-five per cent. will take the disease and may, apparently, recover, and the remaining twenty-five per cent. may escape entirely. Such have been about the proportions observed here.

Soon after its introduction into Great Britain, insurance companies for stock were established, most of them with immense capital. They have in most, if not in all cases failed, and that, too, notwithstanding the high premiums charged and readily paid, amounting finally to six or seven per cent.

Let us look, for a moment, at their operation. The "*Farmers' and Graziers' Mutual Insurance Company*" was started in 1844. It had numerous, wealthy and influential patrons. The list of members of the "mutual" soon ran up to an extraordinary extent. The insurances effected, all paying liberal premiums, swelled its treasury to vast proportions. The people were justly and naturally alarmed by continental reports and glad to avail themselves of an opportunity of security. Now "pleuro-pneumonia, introduced in 1842, cleared out stock after stock and herd after herd in an incredibly short space of time. The company raised its rates repeatedly;" but the disease stealthily spread, and the affairs of the company became hopelessly embarrassed. The books were closed four or five years after it was established, and many still wait their pay for the heavy losses incurred on insured stock.

The "*United Kingdom Mutual Cattle Insurance Company*" started into being in 1845. It had a great business at first, like the Farmers' and Graziers'. There was enough for both to do. But the same cause, this insidious pleuro-pneumonia, brought it down under an enormous load of responsibilities which it had incurred and could not meet.

Ten millions of dollars worth of stock was insured in the first two years of the operation of these two companies. Their business, and of course their receipts, were almost unlimited.

What could be the cause of failure? Some thought there must be a defect in the mutual system. And so they got up a stock company called the "*Agricultural Cattle Insurance Company*," with a capital of two and a half millions of dollars. The stockholders had great expectations, and so had the public. The enormous capital, the high character and responsibility of the parties at the head of the company, the reasonable rates of insurance, and the alarming losses from the spread of this contagion, through exposure in the public markets, naturally led to a business amounting to a million and a half dollars a week for many weeks in succession, after the books were opened. At the end of three years, fifty millions of dollars worth of stock had been insured by the concern, the largest business at that time, ever done by any similar institution in the world.

What was the result? It was a race against a staunch and long-winded competitor. The cows died. Loss after loss began to stagger even that great company. The official report says, "that in some districts thousands were carried off; so great, indeed, were its ravages that nearly three-fourths of the losses for which claims were made upon the company were the results of that incurable disease."

Then the stockholders got together, again and again; raised the rate of premium again and again, and continued to pay claims. But these losses could never be made up, and this greatest and best-managed cattle insurance company that ever existed, after holding out seventeen years,

was compelled to wind up in 1861, carrying down with it five other companies to total annihilation. I am not aware that a single similar institution still survives in Great Britain. Now, if, after a careful calculation that $3\frac{1}{7}$ per cent. premium would cover all the losses that could possibly occur, and after actually more than doubling that rate, the strongest companies abroad have come to utter ruin, can we console ourselves with the hope that such institutions here would meet with any better fate after this insidious disease has got a firm and permanent hold on the lungs of our cattle?

Now a word more on the matter of contagion, because the whole question as to the propriety of legislative action in regard to it, turns, of course, on the contagious character of the disease.

We know it is contagious. We knew it on its first introduction, four or five years ago. The evidence then, as now, was so conclusive and overwhelming that it would seem that any one who could doubt, with only a limited knowledge of the facts, would doubt all human testimony, even that of his own senses. I could fill many pages with the opinions of the most competent and learned veterinarians as well as practical men, all going to show its purely contagious origin.

I have before me the written opinions on this point of nearly all the veterinary surgeons in Great Britain, several hundred in number, and, so far as I am aware, not one of them expresses a doubt upon the point.

When I was in Hamburg, in July last, there convened at that city an International Congress of Veterinary Surgeons, composed of the most distinguished professors and veterinarians in the world, many of them of the highest scientific attainments, and admitted as such by scientific men in all departments. The profession is not, in Europe, as it has been here, laboring under an unjust proscription of public sentiment. It attracts to it, therefore, many of the ablest minds and the highest character, men who would adorn any

liberal profession by their patient investigations, their ability and their learning. Some of these men I afterwards met in my visits to various agricultural Colleges and Universities in Germany and France.

To show still farther the high character of that body, I may state that so lively was the interest taken in it by the governments of Europe, that four members were sent to it from Russia, *at the public expense*, three from Austria, three from Prussia, and others by the governments of Hanover, Saxony, Bavaria, Würtemberg, Switzerland, Baden, Denmark, Sweden, &c., over eighty in all.

The subject of contagious pleuro-pneumonia was introduced for discussion before this Congress, when it was declared *without a dissentient voice*, that the malady, so far as Western Europe was concerned, was of *purely contagious origin*.

Professor Nicklas, of Munich, stated that "in Bavaria, and in all other parts of Central Europe over which his investigations had extended, the lung disease in cattle was purely a contagious disease. In Bavaria it had led to an annual mortality of a very serious nature."

Professor Fuchs, of the University of Heidelberg, drew up a list of contagious diseases which properly came within the scope of legislative enactment, and wished the sense of the Congress in regard to it, as the Grand Duchy of Baden was about revising the laws relating to contagious diseases. Among them the Assembly unanimously included contagious pleuro-pneumonia.

Dr. Warneke, of Kiel, Holstein, says recently: "It becomes every day more evident in this country, that the pulmonary disease is not indigenous here; that it has not developed itself spontaneously here, but that it owes its presence entirely to contagion arising from the importation of foreign cattle."

Wagenfeld, a distinguished veterinarian, says: "In a paper of mine which I published ten years ago, I expressed my opinion positively against the view that the lung disease

was contagious. Now, after making numerous new observations on the lung plague, and subjecting the same to an unbiased critical examination, I find myself constrained to admit that my earlier views were erroneous;—the lung disease is very contagious.”

Professor Spinola, of Berlin, had the same experience, and changed his views entirely after long study and observation, arriving at the conclusion that pleuro-pneumonia was a purely and highly contagious disease.

Professor Gerlach, Director of the Veterinary School in Hanover, which I visited in July, a man of distinguished learning and great practical experience, after having made the contagious diseases of cattle a special study, found “that a conscientious investigation of any outbreak of pleuro-pneumonia does not fail to determine in all cases, that healthy stock has been contaminated by diseased animals.”

Whatever difference of opinion on the point of contagion there may have been in Europe, ten or even five years ago, it is now very generally, if not universally, believed to be contagious and dangerous by veterinary surgeons and all others capable of forming a correct opinion upon it.

Now let me allude to Prof. Gamgee once more. I like to quote him, because I know him to be honest, competent and trustworthy, while the high and responsible position he has recently held, and I believe still holds, under the government, entitles his opinion to be regarded as sound. “Ten years’ anxious study of these important questions,” says he, “have led me to form an opinion, the very opposite of that which I was first taught to entertain. I was led to believe that the destructive epizootics of the bovine tribe in this country were non-contagious and originating spontaneously here. *I now know*, that we may as soon expect the spontaneous generation of wolves in Epping Forest, as the spontaneous outbreak of pleuro-pneumonia and epizootic apthæ in the British Isles.”

On the 1st of February, 1863, this present year, he sent a circular to all the veterinary surgeons in the United King-

dom, making inquiries on this very point of contagion, among others. He got answers from about three hundred, and he says: "I find that all the best veterinary surgeons in this country, whose opportunities are most favorable to arrive at a sound conclusion, attributed these diseases (foot-and-mouth, and pleuro-pneumonia) to contagion and infection." "Ninety-nine per cent. of the dead cows carted from the town dairy die of contagious pleuro-pneumonia."

And again. "Whatever county I select as an illustration, it will furnish you with the most unmistakable evidence that *our cattle, our soil, our food and climate have nothing to do with the generation of pleuro-pneumonia*; but travelling, buying and selling, transporting by steamers and railways, are the causes which lead to the approximation of diseased and healthy, and thus tend to the decimation of our stock."

The *Italics* are mine, and I wish to call especial attention to this point, because some have attempted to lull the public mind into a false and dangerous security, by trying to have it believed that local causes, as want of ventilation, &c., have generated the disease here among us. It is a most dangerous fallacy. There is not the slightest ground for belief that a single case ever arose in this country from any such causes. It is clearly and unquestionably an imported disease, and if the whole truth were known, every link in the chain would appear, as most of them, in fact, do now. I might go farther and say that it is not generated spontaneously, according to the opinions of those best capable of knowing, in any part of Western Europe. It is probably brought from hotter climates.

Some confusion has arisen from the fact that there are two forms of the disease known as pleuro-pneumonia, one of which is contagious and the other not. The latter has been known among our cattle, to a very limited extent, from time immemorial. I have heard of cases that occurred forty years ago.

The symptoms and anatomical appearances of these two

forms of the disease are in some respects so similar, as to mislead a person not familiar with diseases among cattle ; but to one familiar with them, the difference is instantly and easily recognized from an inspection of the lungs alone. To him the difference is clearly marked.

Thorough and careful experiments have from time to time been undertaken in Europe, to test the nature and character of the contagious form of this disease, some of them conducted by men of the highest scientific attainments, under the direction of powerful governments, as for instance, by Dr. Delafond, under the authority of the French government. If I mistake not, he and the scientific commission that acted with him experimented with some two or three hundred cows, going through a pretty long series, but I state only from memory, not having their report at hand. No man and no body of men could be found more competent to conduct an elaborate series of experiments in a more scientific and thorough manner, than those who composed that commission. They were the most eminent veterinarians and agriculturists in France, where the science has been carried to a higher degree of perfection than in any other part of the world. There was Magendie, the President, a host in himself. There was Reynal, the accomplished secretary ; there was Rayer, the renowned pathologist ; there was Yvart, the inspector-general of imperial veterinary schools ; there was Rénault, standing high in his profession ; there was Delafond, the director of Alfort, the first veterinary school in Europe, all men of world-wide reputation, to say nothing of M. Manny de Mornay, the late Minister of Agriculture, Lassaigne, Baudemont, Doyère, and other eminent practical agriculturists. How can we overlook the labors of these men and deny them the character of complete experiments, or say that no experiments have been made upon this disease ? Many other careful researches have been undertaken by men equally capable.

At the same time ample opportunities have been afforded, during the last twenty years, for the long and careful obser-

vation of intelligent men, and the conclusion has been, among those best informed, that the great practical fact of its contagion is too clearly established to admit of doubt. I believe all owners of stock in England consider it safest to act promptly on the appearance of the disease, and on the theory, or rather on the knowledge, of its contagious character. This is the reason most commonly urged for the universal custom of keeping cattle so fat there. They are generally ready for the butcher on a very short preparation, and are often hurried off without any. I visited dairies, in September last, in the neighborhood of London, where every animal, although in full flow of milk, was in fair beef condition. They dare not buy poor cattle. The loss would be sure to fall heavily upon them.

Is it wise for us, because we do not know the precise period of incubation and all the other laws of this dangerous disease, to delay action till it is too late to act at all?

Is it wise for us to ignore the labors and patient researches of men quite as scientific, to say the least, as any among us, with facilities infinitely greater than any that we can command, and to shut our eyes to the light of their investigations?

Is it wise, during a raging conflagration, to hesitate to pull down a building, even at the loss of some property, if, by so doing, we can prevent the destruction of a vastly greater amount of property?

In what I have said I have no personal interest, either direct or indirect, to subserve, and in urging the facts in regard to this disease upon the public attention during the last four or five years, I have only attempted to do what I conceived to be a public duty. So far from having any thing to regret, to retract, or alter, from what I stated at first, subsequent events and a more extended observation have corroborated those statements in the strongest manner. If the community still sleep over this danger, I shall have the melancholy satisfaction of finding, at last, a unanimous public sentiment on this subject. But it will be too late. The

result is inevitable. Neglect will and can only lead to unmitigated evil.

If the people are willing to drink the milk of cows, rotten with disease, and to give it to their children, as they have done in Boston, if they are ready to accept the alternative of having the beef of diseased animals brought upon their tables, as has been the case, I have no more to say. But if they desire to avoid this alternative, they will have to act promptly and strenuously for the eradication and stop of pleuro-pneumonia.

If necessary, let a competent inspector be stationed at the principal markets for live stock, with full power to exclude any diseased animal, or to prevent its being entered and sold there. The last able Board of Commissioners had full power to do this, as well as to put men under oath to elicit facts which will otherwise remain concealed, and this contributed more than any thing to keep the disease in check.

The honest dealer could not object to this course. It would be his own protection as well as that of the community. The unprincipled dealer alone would be discommoded, and from him the community has a right to protect itself.

Very respectfully,

Your excellency's obedient servant,

CHARLES L. FLINT,

Secretary of the State Board of Agriculture.

[II.]

HOSPITAL FOR INEBRIATES.

COUNCIL CHAMBER, Boston, Dec. 16, 1863.

To the Governor and Council:

Under special instructions of His Excellency, of November 24, 1863, I proceeded to visit the Asylum for Inebriates at Binghamton, New York, and examine the principles on which it is founded, and by which it is to be administered. Just before my departure, and too late to communicate to you the fact, I received a note from the Hon. Josiah Quincy, Jr., and Dr. Horatio R. Storer, my associates, informing me that other duties assigned to the Commissioners on Insanity, would for the present so occupy their time as to prevent their joining me on this tour of investigation. I accordingly invited Rev. Kendall Brooks, a distinguished clergyman and philanthropist, to accompany me to that place, and he will communicate his views on the general subject of an asylum for inebriates, as an Appendix to this Report. The principles involved in the establishment of an asylum for inebriates are by no means clearly understood by the public; and it must be confessed that some of them certainly are at variance with old theological dogmas and church ethics, as well as in conflict with long established principles of criminal jurisprudence. For these reasons I was, therefore, very anxious that more than *one person* should make this examination, and submit for your consideration the independent results of their observation of facts and principles. Mr. Brooks, who has an eminently judicial mind and benevolent heart, will, I

am confident, present views worthy of your consideration and approval.

Dr. J. Edward Turner is the primary projector of the Asylum for Inebriates at Binghamton. For *nineteen years*, in this country and in Europe, he has made inebriety a special study, and his active brain and benevolent heart have given *being* and *maturity* to the institution, whose costly and beautiful edifice now stands like a lighthouse on a rock, giving friendly beams of warning, and, at the same time, proffering means of restoration and safety to the shipwrecked. Dr. Turner shows from the results of over 300 post-mortem examinations of inebriates that the anatomical changes are *specific*, and more certain and palpable than in cases of insanity from other causes. He also shows that, in 1,179 cases of delirium tremens, under his observation, 816 of them were hereditary, having an inebriate parent or grandparent, or both; and that 55 per cent. of all our insanity, and 68 per cent. of all our idiocy, springs directly or indirectly from inebriety alone. He also shows that a distinction should be made between *intemperance* and *inebriety*; the first being improper indulgence against the warnings of conscience, an abuse of natural or artificial appetite, while there is *will* and *power* of choice; in short, the common intemperance of society, down whose rapidly descending steps the tottering legions pass unconsciously across that shadowy and undefined line which transfers them to the class of inebriates. On the one side of this line the family, the school, the church, and the civil law may hopefully exert their reformatory power, and rightfully inflict their penalties; on the other side of this line the *inebriate* is a *diseased man*; diseased *mentally*, *morally* and *physically*. He is still also an intemperate man, but his will is powerless, his conscience is gone, and he drinks per force of the anatomical changes which have taken place in his own body. He is now without legal or moral accountability for his irresistible appetite. This disease of inebriety is both hereditary and self-induced; and when hereditary a small amount, and we cannot give the mini-

num of the exciting cause, will suddenly develop the disease with clamorous and irresistible power.

The inebriate is a diseased being, as before stated, *physically, mentally and morally*; and the proper medical treatment of his body is a necessary precedent to the successful cure of his mind and heart. In treating it, all the aids which medical science and psychology, morality, religion and law can afford, should be brought to the rescue of the victim.

The theory of asylum treatment is, in its largest sense, *preventive*, as well as *curative* and *custodial*; and in no degree will it curtail or supersede all possible antecedent or coöperative reformatory influences.

For more than a quarter of a century philanthropists have been engaged in associated efforts to suppress the use of intoxicating drinks as a beverage. They have doubtless done good, much good to individuals; and yet moral suasion and coercive measures have both proved unavailing to stay the desolating increase of drunkenness. Reliable statistics show that from 1840 to 1850, in this country insanity and idiocy, chiefly caused by inebriety, increased 80 per cent.

The pestilence walks not alone in darkness, striking here and there a victim, but with defiant and accelerated tread sweeps over the land, leaving its death-mark on multitudes of the young, the beautiful and good.

They lie prostrate beyond all self-help; conscience dethroned and power of choice utterly gone; and in this condition our penal laws make them inmates of our jails and houses of correction. Some of them occasionally are placed in our insane asylums, under a forced construction of the original and express design of those institutions. Here the law fails to retain them long enough to affect a radical cure; and nearly all attempts to treat successfully the inebriate in insane asylums has hitherto, and must ever, prove abortive. An asylum specifically for inebriates, with legal power for their control and custody, and with all the appliances for medical, moral and social treatment, is now the *great, admit-*

ted, imperative necessity. Clergymen and lawyers, in large numbers, now admit the fact and necessity. Physicians, with scarcely a notable exception give their emphatic verdict in its favor. Superintendents of insane asylums, as far as known, are unanimous in favor of separate and specific asylums for inebriates.

Dr. Turner is the great pioneer in the good work. At least, half a generation in advance of his fellows, he has valiantly and triumphantly combatted false theology, bad law and worse medical practice.

The system of treatment which this institution inaugurates, already reposes on a scientific basis; as much so, at least, as do our institutions for Idiots, Deaf Mutes, Blind, or Insane. And I have no hesitation in saying that the pathology of Gout and Scrofula, inherited diseases, and Miasmatic Fever and Smallpox, acute self-acquired diseases, is less anatomically certain than that of the helpless inebriate; neither do I doubt that Christian morality, civil justice and political economy alike demand that the moral and legal accountability of these three classes of diseased persons should be the same.

The funds for the establishment of the New York Asylum for Inebriates, are the result of individual contributions, mostly at first in sums of \$10; though for a few years past the donations have come in by hundreds and thousands. The total number of subscribers to the fund is about 48,000, and the total amount pledged is not far from \$800,000. These subscriptions are chiefly the result of the personal efforts of the indefatigable Dr. Turner. The State has never pledged or furnished a dollar. After eight years of ineffectual knocking at the door of the legislature, he succeeded, in 1858, in procuring a charter.

This charter, which has been several times amended, provides that every subscriber of \$10 or more, shall be a stockholder, and entitled to vote annually for a Board of Trustees, one of whom shall always be a resident of each Senatorial

District in the State. The trustees appoint the superintendent, and have the usual powers of such boards.

The candidate for treatment in this Asylum is taken by process of law before the county judge, who gives a hearing on the question of fact of his inebriety, and if sustained by evidence, he appoints a "committee," who has the custody of his person, and is empowered to commit him to the Inebriate Asylum. The minimum time for retaining a patient in the Asylum is *one year*; and at the end of that period the "committee" and superintendent decide the fact, and exercise the power of detaining him as much longer as his safety and welfare demand.

The inebriate may also, by the terms of the charter, voluntarily surrender himself to the custody of the institution, and is thereby subject to the same liabilities and restrictions as when committed by legal process. The State very wisely gave the strong arm of law to the officers to hold the patients in custody till cured or proved incurable.

The capacity of the institution, when finished, will be for the accommodation and treatment of five hundred patients. One division for the accommodation of fifty will be devoted to females. There will also be received fifty free patients. The remainder will pay from five to twenty dollars per week; and it is anticipated that it will be self-supporting. The farm on which it is located contains 400 acres. The patients will be more or less employed in agriculture, horticulture, the mechanic arts, gymnastic and other healthful, instructive and amusing occupations. The buildings which are now fully erected, though not finished in the interior, will be ready for use early next summer.

The location of the Asylum is on the north bank of the Susquehanna, on a plateau 243 feet above the river, and nearly half a mile distant, and is the southern slope of that ridge of hills which separate that river from the Chenango. From the site of the buildings the ground slopes on three sides in graceful undulations towards the borders and con-

fluence of the two rivers. Northward the farm rises gently for a half mile to the wooded hills, from whence, at an elevation of more than 200 feet, abundance of water is supplied the institution, creating numerous artificial fountains and pools, Bethesda-like, for cleansing and healing. The view from this site is picturesque and beautiful in the extreme. The winding rivers, seen for a distance of nearly 20 miles, and only lost to view in the distant gorges of the mountains on the east, or the fertile and far-reaching valleys at the west.

The beautiful and thriving village of Binghamton, two miles distant; the valleys and rolling hills in the distance, rich with the adorning, and harvests of successful agriculture; in short, all the surroundings of nature and art must conspire to give cheerfulness and hope to the residents of this asylum. Seclusion and restraint, though actual, will be far less irksome amid such fine landscape scenery, and so many examples of the true, beautiful and good in nature, and so much that is tasteful, decorative and useful in art.

The original and ripe principles which this Asylum embodies, the practical policy which it adopts, the Christian benevolence which it symbolizes, the economy to the State which it foreshadows, *challenge*, and must ultimately *receive*, the warm approval and open-hearted charity of all Christendom. Over 7,000 beseeching applicants have already knocked at its doors for admittance, and of these Massachusetts has furnished a large number.

Whether such an institution in our own State should be established solely by private charity, or whether solely by the State, or whether by combination of the two systems, are important questions for our philanthropists and legislators to determine. The founding of such an institution by private charity would be a sacred consecration of money; and the Commonwealth would only be true to her own historic benevolent policy and far-seeing political economy by establishing and endowing it. Massachusetts can claim no

exemption from the disease of inebriety.* She has no occasion to thank God she is not as bad in this respect as other States. In many of her households there lurks the "skeleton"—a father, a son, a brother, or near friend has felt the breath of the pestilence, "*and is not!*" The manhood has departed, the conscience has fled, the affections are withered, and the flesh is corruption. *Seventy* in every *hundred* of these hearth-stone terrors are promised restoration to life and happiness, by means of the Inebriate Asylum. How glorious the work! how great the joy, in household no less than in Heaven, when with clear heads and pure affections, they become newly robed in the costume of regenerated manhood, and again make jubilant the domestic fireside.

Respectfully submitted,

ALFRED HITCHCOCK.

To the HON. ALFRED HITCHCOCK, M. D.

DEAR SIR,—Having accepted your invitation to visit the Asylum for Inebriates at Binghamton, N. Y., I cheerfully assent to your request to make a statement of my impressions concerning that institution and the work which it is intended to accomplish.

First of all, I found in Dr. Turner, the director of the enterprise, a man of enthusiastic devotion to the idea and the purpose of reforming inebriates. He has spent nineteen years in studying the subject, and in projecting and establishing this institution. With a well-defined idea of what such an Asylum should be, many years ago he formed a plan of the buildings, and has persevered amidst great discouragements in collecting funds to carry out that plan.

* * Number of commitments to Jails and Houses of Correction in Massachusetts, for the last *three years*, for single acts of drunkenness, and as common drunkards. From official returns :

	1861.	1862.	1863.
Common drunkards, . . .	1,274	945	845
Single acts of drunkenness, .	1,519	2,756	3,323
Total, ...	2,793	3,701	4,168

With no appropriation from the treasury of the State, and by means of funds almost wholly obtained in small sums, through his own personal solicitations, he has so far advanced in his purpose as to hope that the Asylum will be opened for patients within a few months. But few such instances can be found on record, of patient and self-denying, yet enthusiastic devotion to one great purpose of philanthropy. He is nominally the organ of a Board incorporated by the legislature of New York, but he is virtually the whole Board, as well as the originator of the enterprise.

The buildings, which are now nearly completed, are situated a little more than two miles from the village of Binghamton, on the slope of a hill which commands an extensive and attractive prospect,—the beautiful Susquehanna and the fertile Valley of the Chenango being in full view for many miles. The main building, of which the front and ends are of Syracuse lime-stone, is an imposing and elegant structure. There are in all, private accommodations for five hundred patients, besides chapel, library-room, public parlors, offices, kitchen, extensive conservatories, and two large inclosed areas designed for gardens. It is the plan of the institution to furnish a pleasant home for its inmates, in which they may be so employed as to be free from ennui, and confinement within the walls of which will not prove irksome. Patients are to be received on their own application or that of their legally appointed guardians, but always on condition that, once received, they become subject to the government of the institution, and remain at least one year. Of course, an essential part of the treatment is to be a total disuse of all alcoholic drinks.

Each patient or his guardians may select such room or rooms, before unoccupied, as may please them, and the expense to the inmate will in each case be determined by the accommodations selected. There are to be fifty free beds; but it is anticipated that the majority of patients will be able to meet the expense of their residence there. Dr. Turner has not contemplated any restriction of the benefits of the Asylum to men of ruined reputation, or inebriates of the lowest classes. He has rather had his mind on men of cultivated intellects, capable when delivered from the bondage of intemperance, of rendering good service to the world. He has aimed at making the Asylum a suitable and not unattractive place for such; and hence commitments are not to be made to it by the judicial courts, nor is it intended to be a place for State criminals.

The fundamental idea on which the institution is planned is, that the thirst for strong drink is a disease,—a disease which originates, indeed, in habits of indulgence, but nevertheless to be treated as a disease, just as insanity must be so treated, although that not unfrequently arises from culpable neglect of the laws of the human constitution. It may be that the plan of this institution looks too exclusively to this one phase of intemperance. But who can hesitate to admit that the burning thirst for alcohol, which disregards all obligations however sacred, and all affections however sincere, all the noble passions and all the decencies of life, ought to be regarded and treated as a terrible disease, incurable in some instances, but not in most? The victims of this disease are from all ranks in life and from all vocations. Many of them, except for this disease, would be valuable citizens, as well as capable of increasing the comfort and happiness of their kindred and friends.

While sympathizing fully with Dr. Turner in his opinion, that any view of intemperance is essentially defective which overlooks its nature as a disease, I would respectfully suggest that a complete view of the subject must include both facts,—that it involves an offence against virtue and the laws of God, and also produces disease. The laws of the State regard drunkenness as a crime; and this is necessary. No change which should exclude this view is desirable. Drunkenness is a crime, interfering with the prosperity of the State, and exposing the peace and safety of the people, as well as destroying the offender's own peace and happiness. But a result of the criminal indulgence of the appetite is the excitement of disease in the system, which disease demands continued indulgence of the appetite, and so perpetuates itself. Drunkenness in its origin is a sin,—in its maturity, a disease.

The State has hitherto dealt with it only as a crime. But is it right to look thus only on one side of an enormous evil, and treat simply as a crime that which is also a disease? Would not the State by consulting the welfare of her people, if she made provision for curing the disease, as well as for punishing the crime;—for rescuing men from the bondage of intemperance, as well as for inflicting penalties upon those who yield to its allurements?

It seems to me that the gist of the whole question is just here, and that, to say nothing of the claims of philanthropy, a true economy not only warrants, but demands that some provision be made by the State for rescuing men who are subjects at once of disease

and crime. The most enlightened nations have ceased to treat an insane criminal simply as a criminal. His insanity is taken into account in determining the treatment he is to receive. Why should not the same principle be applied in the treatment of the criminal inebriate? And if the inebriate who has become a convict under the laws of the Commonwealth, why not still more of one who has not been convicted of any crime, but who may desire for himself, or whose friends may desire for him, that the power of his terrible disease may be broken, and he be restored to the State and the world, a sound and useful citizen?

It is only within a few years that attention has been called to this claim of philanthropy and political economy. Some of the States of our Union, and some of the countries of Europe are already taking the first steps towards the establishment of Asylums for Inebriates. May we not hope that Massachusetts, as in so many instances, so in this, will be among the first to meet this claim alike of humanity and expediency?

I am sincerely yours,

KENDALL BROOKS.

FITCHBURG, Dec. 15, 1863.

[III.]

SOLDIERS' NATIONAL CEMETERY AT GETTYSBURG.

To his Excellency JOHN A. ANDREW,

Governor of the Commonwealth of Massachusetts:

The undersigned, appointed by the Governor, Commissioners to represent the Commonwealth of Massachusetts at Gettysburg, in the State of Pennsylvania, on occasion of the dedication of the National Cemetery, on the nineteenth day of November, 1863, have the honor to report that they attended to the duty assigned them, and were present at the celebration. They were accorded an honorable place in the procession and upon the platform. Through the courtesy of Major-General Couch, a gallant son of Massachusetts, in command of the military department in which Gettysburg is situated, and of Major Burt of his staff—permission was granted for the detail of the following invalid soldiers from the hospitals in the vicinity, to bear the standard of our Commonwealth during the pageant, namely: John E. Atwood, company B, 10th regiment, standard-bearer; color corporals, William D. Toombs, company D, 2d regiment; W. W. Mason, company K, 10th regiment; A. B. Kimball, company F, 15th regiment; James E. Baker, company C, 19th regiment. It was a source of gratification that this representation of our brave men was able to take so prominent a part in the celebration.

Hon. John S. Keyes, United States Marshal for Massachusetts, and Hon. John M. Clark, Sheriff of the County of Suffolk, were present, and rendered active service as Assistant-Marshals for this Commonwealth.

The exercises took place in the presence of the President of the United States, the Governors of the State of Pennsylvania and several other States, three members of the President's Cabinet, five foreign ministers, and a large assembly of the people. A printed copy of the order of exercises is appended to this Report, marked [A.] The oration was delivered by Hon. Edward Everett, a distinguished citizen of Massachusetts, and was heard with close attention; and the brief speech of President Lincoln, which followed, likewise made a profound impression. The former is appended in the printed copy, marked [B]; the latter, which has not generally been printed rightly, having been marred from errors in telegraphing, is appended, marked [C,] in the correct form, as the words actually spoken by the President, with great deliberation, were taken down by one of the undersigned.

A list of the Massachusetts soldiers who fell in the memorable battles of Gettysburg, and whose remains are buried in the cemetery there, is appended to this Report, marked [D.]

The commemorative services, altogether, were impressive and interesting. Nothing occurred to detract from the solemnity befitting the place and the occasion.

All of which is respectfully submitted.

HENRY EDWARDS,
GEO. WM. BOND,
CHARLES HALE,

Commissioners.

BOSTON, October 1, 1863.

[A.]

PROGRAMME OF ARRANGEMENTS,
*And Order of Exercises for the Inauguration of the National
 Cemetery at Gettysburg, on the 19th of November, 1863.*

The military will form in Gettysburg at 9 o'clock, A. M., on Carlisle Street, north of the Square, its right resting on the Square, opposite, McClellan's Hotel, under the direction of Major-General Couch.

The State Marshals and Chief Marshal's aids will assemble in the public square at the same hour.

All civic bodies, except the citizens of States, will assemble according to the foregoing printed programme, on York Street at the same hour.

The delegation of Pennsylvania citizens will form on Chambersburg Street, its right resting on the Square, and the other citizen delegations, in their order, will form on the same street in rear of the Pennsylvania delegation.

The Marshals of the States are charged with the duty of forming their several delegations so that they will assume their appropriate positions when the main procession moves.

Order of Procession.

Military, under command of Major-General COUCH.
 Major-General MEADE and Staff, and the officers and soldiers of
 the Army of the Potomac.

Officers of the Navy and Marine Corps of the United States.

Aids.

CHIEF MARSHAL.

Aids.

PRESIDENT OF THE UNITED STATES.

Members of the Cabinet.

Assistant Secretaries of the Several Executive Departments.

General-in-Chief of the Army, and Staff.

Lieutenant-General SCOTT and Rear-Admiral STEWART.

Judges of the U. S. Supreme Court.

Hon. EDWARD EVERETT, Orator of the Day, and the Chaplain.

Governors of the States, and their Staffs.

Commissioners of the States on the Inauguration of the Cemetery.

Bearers with the Flags of the States.

VICE-PRESIDENT OF THE UNITED STATES and Speaker of the House of Representatives.

Members of the two Houses of Congress.

Officers of the two Houses of Congress.

Mayors of Cities.

Gettysburg Committee of Arrangements.

Officers and members of the United States Sanitary Commission.

Committees of different Religious Bodies.

U. S. Military Telegraphic Corps.

Officers and Representatives of Adams Express Company.

Officers of different Telegraph Companies.

Hospital Corps of the Army.

Soldiers' Relief Associations.

Knights Templar.

Masonic Fraternity.

Independent Order of Odd-Fellows.

Other Benevolent Associations.

Literary, Scientific, and Industrial Associations.

The Press.

Officers and members of Loyal Leagues.

Fire Companies.

Citizens of the State of Pennsylvania.

Citizens of other States.

Citizens of the District of Columbia.

Citizens of the several Territories.

The head of the column will move at precisely 10 o'clock, A. M.

The route will be up Baltimore Street to the Emmettsburg Road ; thence to the junction of the Taneytown Road ; thence, by the latter road to the Cemetery, where the military will form into line, as the General in command may order, for the purpose of saluting the President of the United States.

The military will then close up, and occupy the space on the left of the stand.

The civic procession will advance and occupy the area in front of the stand, the military leaving sufficient space between them and the line of graves for the civic procession to pass.

The ladies will occupy the right of the stand, and it is desirable that they be upon the ground as early as ten o'clock, A. M.

The exercises will take place as soon as the military and civic bodies are in position, as follows:—

Music.

Prayer.

Music.

ORATION.

Music.

DEDICATORY REMARKS BY THE PRESIDENT OF THE UNITED STATES.

Dirge.

Benediction.

After the benediction the procession will be dismissed, and the State Marshals and special aids to the Chief Marshal, will form on Baltimore Street, and return to the Court-house in Gettysburg, where a meeting of the marshals will be held.

An appropriate salute will be fired in Gettysburg on the day of the celebration, under the direction of Maj. Gen. Couch.

WARD H. LAMON,

Marshal-in-Chief.

The ladies will occupy the right of the stand, and it is desirable that they be upon the ground as early as ten o'clock, A. M.

The exercises will take place as soon as the military and civic bodies are in position, as follows:—

Music.

Prayer.

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ORATION.

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WARD H. LAMON,

Marshal-in-Chief.

[B.]

ORATION OF EDWARD EVERETT.

STANDING beneath this serene sky, overlooking these broad fields now reposing from the labors of the waning year, the mighty Alleghanies dimly towering before us, the graves of our brethren beneath our feet, it is with hesitation that I raise my poor voice to break the eloquent silence of God and Nature. But the duty to which you have called me must be performed; grant me, I pray you, your indulgence and sympathy.

It was appointed by law in Athens, that the obsequies of the citizens who fell in battle should be performed at the public expense, and in the most honorable manner. Their bones were carefully gathered up from the funeral pyre, where their bodies were consumed, and brought home to the city. There, for three days before the interment, they lay in state, beneath tents of honor, to receive the votive offerings of friends and relatives,—flowers, weapons, precious ornaments, painted vases, (wonders of art, which, after two thousand years adorn the museums of modern Europe,)—the last tribute of surviving affection. Ten coffins of funereal cypress received the honorable deposit, one for each of the tribes of the city, and an eleventh in memory of the unrecognized, but not therefore unhonored, dead, and of those whose remains could not be recovered. On the fourth day the mournful procession was formed; mothers, wives, sisters, daughters, led the way, and to them it was permitted, by the simplicity of ancient manners, to utter aloud their lamentations for the beloved and the lost; the male relatives and friends of the deceased followed; citizens and strangers closed the train. Thus marshalled, they moved to the place of interment in that famous Ceramicus, the most beautiful suburb of Athens, which had been adorned by Cimon, the son of Miltiades, with walks and fountains and columns; whose groves were filled with altars, shrines, and temples; whose gardens were kept forever green by the streams from the neighboring hills, and shaded with the trees

sacred to Minerva, and coeval with the foundation of the city ;
whose circuit enclosed

“ the olive grove of Academe,
Plato's retirement, where the Attic bird
Thrilled his thick-warbled note the summer long ;”

whose pathways gleamed with the monuments of the illustrious dead, the work of the most consummate masters that ever gave life to marble. There, beneath the overarching plane-trees, upon a lofty stage erected for the purpose, it was ordained by law that a funeral oration should be pronounced by some citizen of Athens, in the presence of the assembled multitude.

Such were the tokens of respect required by law to be paid at Athens to the memory of those who had fallen in the cause of their country. To those alone who fell at Marathon a peculiar honor was reserved. As the battle fought upon that immortal field was distinguished from all others in Grecian history for its influence over the fortunes of Hellas,—as it depended upon the event of that day whether Greece should live, a glory and a light to all coming time, or should expire, like the meteor of a moment,—so the honors awarded to its martyr-heroes were such as were bestowed by Athens on no other occasion. They alone of all her sons were entombed upon the spot, which they had forever rendered famous. Their names were inscribed upon ten pillars erected upon the monumental tumulus which covered their ashes (where, after six hundred years, they were read by the traveller Pausanias,) and although the columns, beneath the hand of barbarian violence and time, have long since disappeared, the venerable mound still marks the spot where they fought and fell,—

“ That battle-field, where Persia's victim horde
First bowed beneath the brunt of Hellas' sword.”

And shall I, fellow-citizens, who, after an interval of twenty-three centuries, a youthful pilgrim from a world unknown to Ancient Greece, have wandered over that illustrious plain, ready to put off the shoes from off my feet, as one that stands on holy ground ; who have gazed with respectful emotion on the mound which still protects the remains of those who rolled back the tide of Persian invasion, and rescued the land of popular liberty, of letters, and arts,

from the ruthless foe, stand unmoved over the graves of our dear brethren, who but yesterday,—on three of those all-important days which decide a nation's history,—days on whose issue it depended, whether this august republican Union, founded by some of the wisest statesmen that ever lived, cemented with the blood of some of the purest patriots that ever died, should perish or endure,—rolled back the tide of an invasion not less unprovoked, not less ruthless, than that which came to plant the dark banner of Asiatic despotism and slavery on the free soil of Greece? Heaven forbid! And could I prove so insensible to every prompting of patriotic duty and affection, not only would you, fellow-citizens, gathered, many of you, from distant States, who have come to take part in these pious offices of gratitude,—you, respected fathers, brethren, matrons, sisters, who surround me, cry out for shame,—but the forms of brave and patriotic men who fill these honored graves would heave with indignation beneath the sod.

We have assembled, friends, fellow-citizens, at the invitation of the Executive of the great central State of Pennsylvania, seconded by the Governors of seventeen other loyal States of the Union, to pay the last tribute of respect to the brave men who, in the hard-fought battles of the 1st, 2d, and 3d days of July last, laid down their lives for the country on these hillsides and the plains spread out before us, and whose remains have been gathered into the cemetery which we consecrate this day. As my eye ranges over the fields whose sods were so lately moistened by the blood of gallant and loyal men, I feel as never before how truly it was said of old that it is sweet and becoming to die for one's country. I feel as never before how justly, from the dawn of history to the present time, men have paid the homage of their gratitude and admiration to the memory of those who nobly sacrifice their lives, that their fellow-men may live in safety and in honor. And if this tribute were ever due, when—to whom—could it be more justly paid, than to those whose last resting-place we this day commend to the blessing of Heaven and of men?

For consider, my friends, what would have been the consequences to the country, to yourselves, and to all you hold dear, if those who sleep beneath our feet, and their gallant comrades who survive to serve their country on other fields of danger, had failed in their duty on those memorable days. Consider what, at this moment, would be the condition of the United States, if that noble Army of the

Potomac, instead of gallantly, and for the second time, beating back the tide of invasion from Maryland and Pennsylvania, had been itself driven from these well-contested heights ; thrown back in confusion on Baltimore ; or trampled down, discomfited, scattered to the four winds. What, under the circumstances, would not have been the fate of the Monumental City, of Harrisburg, of Philadelphia, of Washington—the capital of the Union—each and every one of which would have lain at the mercy of the enemy, accordingly as it might have pleased him, spurred only by passion, flushed with victory, and confident of continued success, to direct his course ?

For this we must bear in mind : it is one of the great lessons of the war—indeed, of every war—that it is impossible for a people without military organization, inhabiting the cities, towns, and villages of an open country, including, of course, the natural proportion of non-combatants of either sex and of every age, to withstand the inroad of a veteran army. What defence can be made by the inhabitants of villages mostly built of wood, of cities unprotected by walls, nay, by a population of men, however high-toned and resolute, whose aged parents demand their care, whose wives and children are clustering about them, against the charge of the war-horse whose neck is clothed with thunder ; against flying artillery, and batteries of rifled cannon planted on every commanding eminence ; against the onset of trained veterans, led by skilful chiefs ? No, my friends, army must be met by army ; battery by battery ; squadron by squadron ; and the shock of organized thousands must be encountered by the firm breasts and valiant arms of other thousands, as well organized and as skilfully led. It is no reproach, therefore, to the unarmed population of the country, to say that we owe it to the brave men who sleep in their beds of honor before us, and their gallant surviving associates, not merely that your fertile fields, my friends of Pennsylvania and Maryland, were redeemed from the presence of the invader, but that your beautiful capitals were not given up to threatened plunder, perhaps laid in ashes, Washington seized by the enemy, and a blow struck at the heart of the nation.

Who that hears me has forgotten the thrill of joy that ran through the country on the Fourth of July,—auspicious day for the glorious tidings, and rendered still more so by the simultaneous fall of Vicksburg,—when the telegraph flashed through the land the assurance from the President of the United States, that the army of the Potomac, under General Meade, had again smitten the invader ?

Sure I am that, with the ascriptions of praise that rose to Heaven from twenty millions of freemen; with the acknowledgments that breathed from patriotic lips throughout the length and breadth of America, to the surviving officers and men who had rendered the country this inestimable service, there beat in every loyal bosom a throb of tender and sorrowful gratitude to the martyrs who had fallen on the sternly-contested field. Let a nation's fervent thanks make some amends for the toils and sufferings of those who survive. Would that the heartfelt tribute could penetrate these honored graves!

In order that we may comprehend, to their full extent, our obligations to the martyrs and surviving heroes of the Army of the Potomac, let us contemplate, for a few moments the train of events, which culminated in the battles of the first days of July. Of this stupendous rebellion, planned, as its originators boast, more than thirty years ago, matured and prepared for during an entire generation, finally commenced because, for the first time since the adoption of the Constitution, an election of President had been effected without the votes of the South, (which retained however the control of the two other branches of the Government,) the occupation of the national capital, with the seizure of the public archives and of the treaties with foreign powers, was an essential feature. This was in substance, within my personal knowledge, admitted in the winter of 1860-61, by one of the most influential leaders of the rebellion, and it was fondly thought that this object could be effected by a bold and sudden movement on the 4th of March, 1861. There is abundant proof also that a darker project was contemplated, if not by the responsible chiefs of the rebellion, yet by nameless ruffians, willing to play a subsidiary and murderous part in the treasonable drama. It was accordingly maintained by the rebel emissaries in England, in the circles to which they found access, that the new American minister ought not, when he arrived, to be received as the envoy of the United States, inasmuch as before that time Washington would be captured, and the capital of the nation and the archives and muniments of the Government would be in the possession of the Confederates. In full accordance also with this threat, it was declared by the rebel Secretary of War, at Montgomery, in the presence of his chief and of his colleagues, and of five thousand hearers, while the tidings of the assault on Sumter were travelling over the wires on that fatal 12th of April, 1861, that

before the end of May "the flag which now flaunted the breeze (as he expressed it,) would float over the dome of the capitol in Washington."

At the time this threat was made, the rebellion was confined to the cotton-growing States, and it was well understood by them, that the only hope of drawing any of the other slaveholding States into the conspiracy, was by bringing about a conflict of arms, and "firing the heart of the South," by the effusion of blood. This was declared by the Charleston press to be the object for which Sumter was to be assaulted; and the emissaries sent from Richmond, to urge on the unhallowed work, gave the promise that with the first drop of blood that should be shed, Virginia would place herself by the side of South Carolina.

In pursuance of this original plan of the leaders of the rebellion, the capture of Washington has been continually had in view, not merely for the sake of its public buildings, as the capital of the Confederacy, but as the necessary preliminary to the absorption of the Border States, and for the moral effect in the eyes of Europe of possessing the metropolis of the Union.

I allude to these facts, not perhaps enough borne in mind, as a sufficient refutation of the pretence on the part of the rebels, that the war is one of self-defence, waged for the right of self-government. It is in reality a war originally levied by ambitious men in the cotton-growing States, for the purpose of drawing the slaveholding Border States into the vortex of the conspiracy, first by sympathy, which in the case of Southeastern Virginia, North Carolina, part of Tennessee and Arkansas succeeded; and then by force, and for the purpose of subjugating Western Virginia, Kentucky, Eastern Tennessee, Missouri, and Maryland; and it is a most extraordinary fact, considering the clamors of the rebel chiefs on the subject of Invasion, that not a soldier of the United States has entered the States last named, except to defend their Union-loving inhabitants from the armies and guerillas of the rebels.

In conformity with these designs on the city of Washington, and notwithstanding the disastrous results of the invasion of 1862, it was determined by the rebel government last summer to resume the offensive in that direction. Unable to force the passage of the Rapahannock where General Hooker, notwithstanding the reverse at Chancellorsville in May, was strongly posted, the Confederate general resorted to strategy. He had two objects in view. The first was

by a rapid movement northward, and by manœuvring with a portion of his army on the east side of Blue Ridge, to tempt Hooker from his base of operations, thus leading him to uncover the approaches to Washington, to throw it open to a raid by Stuart's cavalry, and enable Lee himself to cross the Potomac in the neighborhood of Poolesville, and thus fall upon the capital. This plan of operations was wholly frustrated. The design of the rebel general was promptly discovered by General Hooker, and moving himself with great rapidity from Fredericksburg, he preserved unbroken the inner line, and stationed the various corps of his army at all the points protecting the approach to Washington, from Centreville up to Leesburg. From this vantage-ground the rebel general in vain attempted to draw him. In the mean time, by the vigorous operations of Pleasanton's cavalry, the cavalry of Stuart, though greatly superior in numbers, was so crippled as to be disabled from performing the part assigned it in the campaign. In this manner General Lee's first object, viz. : the defeat of Hooker's army on the south of the Potomac and a direct march on Washington, was baffled.

The second part of the Confederate plan, and which is supposed to have been undertaken in opposition to the views of General Lee, was to turn the demonstration northward into a real invasion of Maryland and Pennsylvania, in the hope that, in this way, General Hooker would be drawn to a distance from the capital; that some opportunity would occur of taking him at a disadvantage, and, after defeating his army, of making a descent upon Baltimore and Washington. This part of General Lee's plan, which was substantially the repetition of that of 1862, was not less signally defeated, with what honor to the arms of the Union, the heights on which we are this day assembled will forever attest.

Much time had been uselessly consumed by the rebel general in his unavailing attempts to out-manœuvre General Hooker. Although General Lee broke up from Fredericksburg on the 3d of June, it was not till the 24th that the main body of his army entered Maryland, and instead of crossing the Potomac, as he had intended, east of the Blue Ridge, he was compelled to do it at Shepherdstown and Williamsport, thus materially deranging his entire plan of campaign north of the river. Stuart, who had been sent with his cavalry to the east of the Blue Ridge, to guard the passes of the mountains, to mask the movements of Lee, and to harass the Union general in crossing the river, having been very severely handled by Pleasanton

at Beverly Ford, Aldie, and Upperville, instead of being able to retard General Hooker's advance, was driven himself away from his connection with the army of Lee, and cut off for a fortnight from all communication with it; a circumstance to which General Lee, in his report, alludes more than once, with evident displeasure. Let us now rapidly glance at the incidents of the eventful campaign.

A detachment from Ewell's corps under Jenkins had penetrated on the 15th of June as far as Chambersburg. This movement was intended at first merely as a demonstration, and as a marauding expedition for supplies. It had, however, the salutary effect of alarming the country, and vigorous preparations were made, not only by the General Government, but here in Pennsylvania and in the sister States, to repel the inroad. After two days passed at Chambersburg, Jenkins, anxious for his communications with Ewell, fell back with his plunder to Hagerstown. Here he remained for several days, and having swept the recesses of Cumberland Valley, he came down upon the eastern flank of the South Mountain, and pushed his marauding parties as far as Waynesboro'. On the 22d, the remainder of Ewell's corps crossed the river and moved up the valley. They were followed on the 24th by Longstreet and Hill, who crossed at Williamsport and Shepherdstown, and pushing up the valley, encamped at Chambersburg on the 27th. In this way, the whole rebel army, estimated at 90,000 infantry, upwards of 10,000 cavalry and 4,000 or 5,000 artillery, making a total of 105,000 of all arms, was concentrated in Pennsylvania.

Up to this time no report of Hooker's movements had been received by General Lee, who having been deprived of his cavalry had no means of obtaining information. Rightly judging, however, that no time would be lost by the Union army in the pursuit, in order to detain it on the eastern side of the mountains in Maryland and Pennsylvania, and thus preserve his communications by the way of Williamsport, he had, before his own arrival at Chambersburg, directed Ewell to send detachments from his corps to Carlisle and York. The latter detachment, under Early, passed through this place on the 26th of June. You need not, fellow-citizens of Gettysburg, that I should recall to you those moments of alarm and distress, precursors as they were of the more trying scenes which were so soon to follow.

As soon as General Hooker perceived that the advance of the Confederates into the Cumberland Valley was not a mere feint to draw him away from Washington, he moved rapidly in pursuit.

Attempts, as we have seen, were made to harass and retard his passage across the Potomac. These attempts were not only altogether unsuccessful, but so unskillfully made, as to place the entire Federal army between the cavalry of Stuart and the army of Lee. While the latter was massed in the Cumberland Valley, Stuart was east of the mountains, with Hooker's army between, and Gregg's cavalry in close pursuit. Stuart was accordingly compelled to force a march northward, which was destitute of all strategical character, and which deprived his chief of all means of obtaining intelligence.

Not a moment had been lost by General Hooker in the pursuit of Lee. The day after the rebel army had entered Maryland, the Union army crossed the Potomac at Edward's Ferry, and by the 28th lay between Harper's Ferry and Frederick. The force of the enemy on that day was partly at Chambersburg, and partly moving on the Cashtown road, in the direction of Gettysburg, while the detachments from Ewell's corps, of which mention has been made, had reached the Susquehannah, opposite Harrisburg and Columbia. That a great battle must soon be fought, no one could doubt, but in the apparent and perhaps real absence of plan on the part of Lee, it was impossible to foretell the precise scene of the encounter. Wherever fought, consequences the most momentous hung upon the result.

In this critical and anxious state of affairs, General Hooker was relieved, and General Meade was summoned to the chief command of the army, and it appears to my unmilitary judgment to reflect the highest credit upon him, upon his predecessor, and upon the corps commanders of the Army of the Potomac, that a change could take place in the chief command of so large a force on the eve of a general battle,—the various corps necessarily moving on lines somewhat divergent and all in ignorance of the enemy's intended point of concentration,—and that not an hour's hesitation should ensue in the advance of any portion of the entire army.

Having assumed the chief command on the 28th, General Meade directed his left wing, under Reynolds, upon Emmettsburg, and his right upon New Windsor, leaving General French with 11,000 men to protect the Baltimore and Ohio Railroad, and convoy the public property from Harper's Ferry to Washington. Buford's cavalry was then at this place, and Kilpatrick's at Hanover, where he encountered and defeated the rear of Stuart's cavalry, who was roving the country in search of the main army of Lee. On the rebel side, Hill had reached Fayetteville on the Cashtown road on

the 28th, and was followed on the same road by Longstreet on the 29th. The eastern side of the mountain as seen from Gettysburg, was lighted up at night by the camp-fires of the enemy's advance, and the country swarmed with his foraging parties. It was now too evident to be questioned, that the thunder-cloud, so long gathering blackness, would soon burst on some part of the devoted vicinity of Gettysburg.

The 30th of June was a day of important preparation. At 11.30 in the morning General Buford passed through Gettysburg, upon a reconnoissance in force, with his cavalry, upon the Chambersburg road. The information obtained by him was immediately communicated to General Reynolds, who was in consequence directed to occupy Gettysburg. That gallant officer accordingly, with the First Corps, marched from Emmettsburg to within six or seven miles of this place, and encamped on the right bank of Marsh's Creek. Our right wing, meantime, was moved to Manchester. On the same day the corps of Hill and Longstreet were pushed still further forward on the Chambersburg road, and distributed in the vicinity of Marsh's Creek, while a reconnoissance was made by the Confederate General Pettigrew up to a very short distance from this place. Thus at nightfall, on the 30th June, the greater part of the rebel force was concentrated in the immediate vicinity of two corps of the Union army, the former refreshed by two days passed in comparative repose, and deliberate preparation for the encounter; the latter separated by a march of one or two days from their supporting corps, and doubtful at what precise point they were to expect an attack.

And now the momentous day, a day to be forever remembered in the annals of the country, arrived. Early in the morning on the 1st of July the conflict began. I need not say that it would be impossible for me to comprise, within the limits of the hour, such a narrative as would do any thing like full justice to the all-important events of these three great days, or to the merit of the brave officers and men of every rank, of every arm of the service, and of every loyal State, who bore their part in the tremendous struggle;—alike those who nobly sacrificed their lives for their country, and those who survive, many of them scarred with honorable wounds,—the objects of our admiration and gratitude. The astonishingly minute, accurate, and graphic accounts contained in the journals of the day, prepared from personal observation by reporters who witnessed the

scenes and often shared the perils which they describe, and the highly valuable "Notes" of Professor Jacobs, of the University in this place, to which I am greatly indebted, will abundantly supply the deficiency of my necessarily too condensed statement.*

General Reynolds, on arriving at Gettysburg in the morning of the 1st, found Buford with his cavalry warmly engaged with the enemy, whom he held most gallantly in check. Hastening himself to the front, General Reynolds directed his men to be moved over the field from the Emmettsburg road, in front of McMillan's and Dr. Schmucker's, under cover of the Seminary Ridge, and, without a moment's hesitation, attacked the enemy, at the same time sending orders to the Eleventh Corps (General Howard's) to advance as promptly as possible. General Reynolds immediately found himself engaged with a force which greatly outnumbered his own, and had scarcely made his dispositions for the action, when he fell, mortally wounded, at the head of his advance. The command of the First Corps devolved on General Doubleday, and that of the field on General Howard, who arrived at 11.30 with Schurz and Barlow's divisions of the Eleventh Corps, the latter of whom received a severe wound. Thus strengthened, the advantage of the battle was for some time on our side. The attacks of the rebels were vigor-

* Besides the sources of information mentioned in the text, I have been kindly favored with a memorandum of the operations of the three days, drawn up for me by direction of Major-General Meade (anticipating the promulgation of his official report), by one of his aides,—Colonel Theodore Lyman,—from whom also I have received other important communications relative to the campaign. I have received very valuable documents relative to the battle from Major-General Halleck, Commander-in-Chief of the army, and have been much assisted in drawing up the sketch of the campaign, by the detailed reports, kindly transmitted to me in manuscript from the Adjutant-General's office, of the movements of every corps of the army, for each day, after the breaking up from Fredericksburg commenced. I have derived much assistance from Colonel John B. Bachelder's oral explanations of his beautiful and minute drawing (about to be engraved,) of the field of the three days' struggle. With the information derived from these sources, I have compared the statements in General Lee's official report of the campaign, dated 31st of July, 1863; a well-written article, purporting to be an account of the three days' battle, in the "Richmond Enquirer" of the 22d of July; and the article on "The Battle of Gettysburg and the campaign of Pennsylvania," by an officer, apparently a colonel, in the British army, in "Blackwood's Magazine" for September. The value of the information contained in this last essay may be seen by

ously repulsed by Wadsworth's division of the First Corps, and a large number of prisoners, including General Archer, were captured. At length, however, the continued reinforcements of the Confederates from the main body close at hand, and by the divisions of Rodes and Early, coming down by separate lines from Heidlersberg, and taking post on our extreme right, turned the fortunes of the day. Our army, after contesting the ground for five hours, was obliged to yield to the enemy, whose force outnumbered them two to one, and about the middle of the afternoon General Howard deemed it prudent to withdraw the two corps to the heights where we are now assembled. The greater part of the First Corps passed through the outskirts of the town, and reached the hill without serious loss or molestation. The Eleventh Corps and portions of the First, not being aware that the enemy had already entered the town from the north, attempted to force their way through Washington and Baltimore Streets, which in the crowd and confusion of the scene, they did with a heavy loss in prisoners.

General Howard was not unprepared for this turn in the fortunes of the day. In the course of the morning he had caused Cemetery Hill to be occupied by General Steinwehr, with the second division of the Eleventh Corps. About the time of the withdrawal of our

comparing the remark under date 27th June, that "private property is to be rigidly protected," with the statement in the next sentence but one, that "all the cattle and farm horses having been seized by Ewell, farm labor had come to a complete stand-still." He also, under date of 4th July, speaks of Lee's retreat being incumbered by "Ewell's *immense train of plunder*." This writer informs us that on the evening of the 4th of July, he heard "reports coming in from the different *generals* that the enemy (Meade's army) was *retiring*, and had been doing so all day long." At a consultation at head-quarters on the 6th, between Generals Lee, Longstreet, Hill, and Wilcox, this writer was told by some one, whose name he prudently leaves in blank, that the army had no intention at present of retreating for good, and that some of the enemy's despatches had been intercepted in which the following words occur: "The noble but unfortunate Army of the Potomac has again been obliged to retreat before superior numbers!" He does not appear to be aware that, in recording these wretched expedients, resorted to in order to keep up the spirits of Lee's army, he furnishes the most complete refutation of his own account of its good condition. I much regret that General Meade's official report was not published in season to enable me to take full advantages of it in preparing the brief sketch of the battles of the three days contained in this address. It reached me but the morning before it was sent to the press.

troops to the hill, General Hancock arrived, having been sent by General Meade, on hearing the death of Reynolds, to assume the command of the field till he himself could reach the front. In conjunction with General Howard, General Hancock immediately proceeded to post troops and to repel an attack on our right flank. This attack was feebly made and promptly repulsed. At nighfall our troops on the hill, who had so gallantly sustained themselves during the toil and peril of the day, were cheered by the arrival of General Slocum with the Twelfth Corps, and General Sickles with a part of the Third.

Such was the fortune of the first day, commencing with decided success to our arms, followed by a check, but ending in the occupation of this all-important position. To you, fellow-citizens of Gettysburg, I need not attempt to portray the anxieties of the ensuing night. Witnessing as you had done with sorrow the withdrawal of our army through your streets, with a considerable loss of prisoners; mourning as you did over the brave men who had fallen; shocked with the wide-spread desolation around you, of which the wanton burning of the Harman House had given the signal, ignorant of the near approach of General Meade, you passed the weary hours of the night in painful expectation.

Long before the dawn of the 2d of July, the new Commander-in-chief had arrived at the front. Having received intelligence of the events in progress, and informed by the reports of Generals Hancock and Howard of the favorable character of the positions, he determined to give battle to the enemy at this point. He accordingly directed the remaining corps of the army to concentrate at Gettysburg with all possible expedition, and breaking up his headquarters at Taneytown at ten o'clock in the evening, he arrived on the field at one o'clock in the morning of the 2d of July. Few were the moments given to sleep during the rapid watches of that brief midsummer's night, by officers or men, though half of our troops were exhausted by the conflict of the day, and the residue wearied by the forced marches which had brought them to the rescue. The full moon, veiled by thin clouds, shone down that night on a strangely unwonted scene;—the silence of the graveyard was broken by the heavy tramp of armed men; by the neigh of the war-horse, the harsh rattle of the wheels of artillery hurrying to their stations, and all the indescribable tumult of preparation. The various corps of the army as they arrived, were moved to their

positions, on the spot where we are assembled, and the ridges that extend southeast and southwest ; batteries were planted and breast-works thrown up. The Second and Fifth Corps, with the rest of the Third, had reached the ground by seven o'clock in the morning, but it was not till two o'clock in the afternoon that Sedgwick arrived with the Sixth Corps. He had marched thirty-four miles since nine o'clock of the evening before. It was only on his arrival that the Union army approached an equality of numbers with that of the rebels, who were posted upon the opposite and parallel ridge, distant from a mile to a mile and a half, overlapping our position on either wing, and probably exceeding by ten thousand the army of General Meade.*

And here I cannot but remark on the providential inaction of the rebel army. Had the contest been renewed by it at daylight on the 2d of July, with the First and Eleventh Corps exhausted by the battle and the retreat ; the Third and Twelfth weary from their forced march ; and the Second, Fifth and Sixth not yet arrived, nothing but a miracle could have averted a great disaster. Instead of this, the day dawned, the sun rose, the cool hours of the morning passed, the forenoon wore away, without the slightest aggressive movement on the part of the enemy. Thus time was given for half our forces to arrive and take their place in the lines, while the rest of the army enjoyed a much needed half-day's repose.

At length, between three and four o'clock in the afternoon, the work of death began. A signal gun from the hostile batteries was followed by a tremendous cannonade along the rebel lines, and this by a heavy advance of infantry, brigade after brigade, commencing on the enemy's right against the left of our army, and so onward to the left centre. A forward movement of General Sickles, to gain a commanding position from which to repel the rebel attack, drew upon him a destructive fire from the enemy's batteries, and a furious assault from Longstreet's and Hill's advancing

* In this Address, as originally prepared, judging from the best sources of information within my reach at that time, I assumed the equality of the two armies on the 2d and 3d of July, supposing that Lee had left considerable detachments to protect his depots and keep open his communications. Subsequent inquiry has led me to think that I somewhat underrated his numbers at Gettysburg, and I have corrected the text accordingly. General Halleck, however, in his official report, accompanying the President's Message, states the two armies to have been equal.

troops. After a brave resistance on the part of his corps, he was forced back, himself falling severely wounded. This was the critical moment of the second day; but the Fifth and a part of the Sixth Corps, with portions of the First and Second, were promptly brought to the support of the Third; the struggle was fierce and murderous, but by sunset our success was decisive, and the enemy were driven back in confusion. The most important service was rendered toward the close of the day, in the memorable advance between Round Top and Little Round Top, by General Crawford's division of the Fifth Corps, consisting of two brigades of the Pennsylvania Reserves, of which one company was from this town and neighborhood. The rebel force was driven back in this encounter, with great loss in killed and prisoners. At eight o'clock in the evening a desperate attempt was made by the enemy to storm the position of the Eleventh Corps on Cemetery Hill; but here too, after a terrible conflict, he was repulsed with immense loss. Ewell, on our extreme right, which had been weakened by the withdrawal of the troops, sent over to support our left, had succeeded in gaining a foothold within a portion of our lines, near Spangler's Spring. This was the only advantage obtained by the rebels to compensate them for the disasters of the day, and of this they were soon deprived.

Such was the result of the second act of this eventful drama; a day hard fought, and at one moment anxious, but with the exception of the slight reverse just named, crowned with dearly earned, but uniform success to our arms, auspicious of a glorious termination of the final struggle. On these good omens the night fell.

In the course of the night General Geary returned to his position on the right, from which he had hastened the day before to strengthen the Third Corps. He immediately engaged the enemy, whom, after a sharp and decisive action, he drove out of our lines, recovering the ground which had been lost on the preceding day. A spirited contest was kept up all the morning on this part of the line, but General Geary, reinforced by Wheaton's brigade of the Sixth Corps, maintained his position, and inflicted very severe losses on the enemy.

Such was the cheering commencement of the third day's work, and with it ended all serious attempts of the enemy on our right. As on the preceding day, his efforts were now mainly directed against our left centre and left wing. From eleven till half-past

one o'clock all was still; a solemn pause of preparation, as if both armies were nerving themselves for the supreme effort. At length the awful silence, more terrible than the wildest tumult of battle, was broken by the roar of two hundred and fifty pieces of artillery from the opposite ridges joining in a cannonade of unsurpassed violence,—the rebel batteries along two-thirds of their line pouring their fire upon Cemetery Hill and the centre and left wings of our army. Having attempted in this way for two hours, but without success, to shake the steadiness of our lines, the enemy rallied his forces for a last grand assault. The attack was principally directed against the position of our Second Corps. Successive lines of rebel infantry moved forward with equal spirit and steadiness, from their cover on the wooded crest of Seminary Ridge, crossing the intervening plain, supported right and left by their choicest brigades, and charged furiously up to our batteries. Our own brave troops of the Second Corps, supported by Doubleday's division and Stannard's brigade of the First, received the shock with firmness; the ground on both sides was long and fiercely contested and covered with the killed and the wounded; the tide of battle flowed and ebbed across the plain, till after "a determined and gallant struggle," as it is pronounced by General Lee, the rebel advance, consisting of two-thirds of Hill's corps and the whole of Longstreet's including Pickett's division the *élite* of the corps, which had not yet been under fire, and was now depended upon to decide the fortune of this last eventful day, was driven back with prodigious slaughter, discomfited and broken. While these events were in progress at our left centre, the enemy was driven, with a considerable loss of prisoners, from a strong position on our extreme left, from which he was annoying our force on "Little Round Top." In the terrific assault on our centre, Generals Hancock and Gibbon were wounded. In the rebel army Armistead, Kemper, Pettigrew, and Trimble were wounded—the first named mortally, the latter also made prisoner,—while General Garnett was killed, and thirty-five hundred officers and men made prisoners.

These were the expiring agonies of the three days' conflict, and with them the battle ceased. It was fought by the Union army, with courage and skill, from the first cavalry skirmish on Wednesday morning to the fearful rout of the enemy on Friday afternoon, by every arm and every rank of the service; by officers and men; by cavalry, artillery, and infantry. The superiority of numbers was

on the side of the rebel army. If the Union force had the advantage of a strong position, the Confederates had that of choosing time and place, the prestige of former victories over the Army of the Potomac, and of the success of the first day. Victory does not always fall to the lot of those who deserve it; but that so decisive a triumph under circumstances like these, was gained by our troops, I would ascribe, under Providence, to the spirit of exalted patriotism that animated them, and a consciousness that they were fighting in a righteous cause.

All hope of defeating our army, and securing what General Lee calls "the valuable results" of such an achievement, having vanished, he thought only of rescuing from destruction the remains of his shattered forces. In killed, wounded, and missing he had, as far as can be ascertained, suffered a loss of about 37,000 men,—rather more than a third of the army which he is supposed to have marched into Pennsylvania. Perceiving that his only safety was in rapid retreat, he commenced withdrawing his troops at daybreak on the 4th, throwing up field-works in front of our left, which assuming the appearance of a new position, were intended probably to protect the rear of his army in their retreat. That day—sad celebration of the Fourth of July for an army of Americans—was passed by him in hurrying off his trains. By nightfall the main army was in full retreat on the Cashtown and Fairfield roads, and it moved with such precipitation, that, short as the nights were, by daylight the following morning, notwithstanding a heavy rain, the rear guard had left its position. The struggle of the two last days resembled in many respects the battle of Waterloo, and if in the evening of the third day General Meade, like the Duke of Wellington, had had the assistance of a powerful auxiliary army to take up the pursuit, the rout of the rebels would have been as complete as that of Napoleon.

Owing to the circumstances just named, the intentions of the enemy were not apparent on the 4th. The moment his retreat was discovered, the following morning, he was pursued by our cavalry on the Cashtown road and through the Emmettsburg and Monterey passes, and by Sedgwick's corps on the Fairfield road. His rear guard was briskly attacked at Fairfield; a great number of wagons and ambulances were captured in the passes of the mountains; the country swarmed with his stragglers, and his wounded were literally emptied from the vehicles containing them, into the farm-houses on

the road. General Lee, in his report, makes repeated mention of the Union prisoners whom he conveyed into Virginia, somewhat overstating their number. He states also that "such of his wounded as were in a condition to be removed," were forwarded to Williamsport. He does not mention that the number of his wounded *not* removed, and left to the Christian care of the victors, was 7,540—not one of whom failed of any attention which it was possible, under the circumstances of the case, to afford them; not one of whom certainly was put upon Libby-prison fare,—lingering death by starvation. Heaven forbid, however, that we should claim any merit for the exercise of common humanity.

Under the protection of the mountain ridge, whose narrow passes were easily held even by a retreating army, General Lee reached Williamsport in safety, and took up a strong position opposite to that place. General Meade, with the main army, necessarily pursued by a flank movement through Middletown, Turner's Pass having been secured by General French. Passing through the South Mountain the Union army came up with that of the rebels on the 12th, and found it securely posted on the heights of Marsh Run. The position was reconnoitered, and preparations made for an attack on the 13th. The depth of the river, swollen by the recent rains, authorized the expectation that the enemy would be brought to a general engagement the following day. An advance was accordingly made by General Meade on the morning of the 14th; but it was soon found that the rebels had escaped in the night, with such haste, that Ewell's corps forded the river where the water was breast high. The cavalry, which had rendered the most important services during the three days, and in harassing the enemy's retreat, was now sent in pursuit, and captured two guns and a large number of prisoners. In an action which took place at Falling Waters, General Pettigrew was mortally wounded. General Meade, in further pursuit of the enemy, crossed the Potomac at Berlin. Thus again covering the approaches to Washington, he compelled the enemy to pass the Blue Ridge at one of the upper gaps, and in about six weeks from the commencement of the campaign General Lee found himself again on the south side of the Rappahannock, with a loss of about a third of his army.

Such, most inadequately recounted, is the history of the ever-memorable three days, and of the events immediately preceding and following. It has been pretended, in order to diminish the

magnitude of this disaster to the rebel cause, that it was merely the repulse of an attack on a strongly-defended position. The tremendous losses on both sides are a sufficient answer to this misrepresentation, and attest the courage and obstinacy with which the three days' battle was waged. Few of the great conflicts of modern times have cost victors and vanquished so great a sacrifice. On the Union side there fell in the whole campaign, of generals killed, Reynolds, Weed, and Zook ; and wounded, Barlow, Barnes, Butterfield, Doubleday, Gibbon, Graham, Hancock, Sickles, and Warren ; while of officers below the rank of general, and men, there were 2,834 killed, 13,709 wounded, and 6,643 missing. On the Confederate side there were killed on the field, or mortally wounded, Generals Armistead, Barksdale, Garnett, Pender, Pettigrew, and Semmes ; and wounded, Heth, Hood, Johnson, Kemper, Kimball, and Trimble. Of officers below the rank of general, and men, there were taken prisoners, including the wounded, 13,621—an amount ascertained officially. Of the wounded in a condition to be removed, of the killed, and the missing, the enemy has made no return. They are estimated from the best data, which the nature of the case admits, at 23,000. General Meade also captured 3 cannons and 41 standards ; and 24,978 small arms were collected on the battle fields.

I must leave to others, who can do it from personal observation, to describe the mournful spectacle presented by these hillsides and plains at the close of the terrible conflict. It was a saying of the Duke of Wellington that, next to a defeat, the saddest thing is a victory. The horrors of the battle-field, after the contest is over, the sights and sounds of woe,—let me throw a pall over the scene, which no words can adequately depict to those who have not witnessed it ; on which no one who has witnessed it, and has a heart in his bosom, can bear to dwell. One drop of balm alone,—one drop of heavenly, life-giving balm,—mingles in this bitter cup of misery. Scarcely has the cannon ceased to roar, when the brethren and sisters of Christian benevolence, ministers of compassion, angels of pity, hasten to the field and the hospital, to moisten the parched tongue, to bind the ghastly wounds, to soothe the parting agonies alike of friend and foe, and to catch the last-whispered messages of love from dying lips. “ Carry this miniature back to my dear wife, but do not take it from my bosom till I am gone.” “ Tell my little sister not to grieve for me, I am willing to die for my country.” “ Oh, that my mother was here !” When, since Aaron stood

between the living and the dead, was there ever so gracious a ministry as this? It has been said that it is characteristic of Americans to treat women with a deference not paid to them in any other country. I will not undertake to say whether this is so, but I will say that since this terrible war has been waged, the women of the loyal States, if never before, have entitled themselves to our highest admiration and gratitude; alike those who at home, often with fingers unused to the toil, often bowed beneath their own domestic cares, have performed an amount of daily labor not exceeded by those who work for their daily bread, and those who, in the hospital and the tents of the Sanitary and Christian Commissions, have rendered services which millions could not buy. Happily, the labor and the service are their own reward. Thousands of matrons and thousands of maidens have experienced a delight in these homely toils and services, compared with which the pleasures of the ball-room and the opera-house are tame and unsatisfactory. This on earth is reward enough, but a richer is in store for them. Yes, brothers, sisters of charity, while you bind up the wounds of the poor sufferers,—the humblest perhaps that have shed their blood for the country,—forget not WHO it is that will hereafter say to you, “Inasmuch as ye have *done it unto one of the least of these my BRETHREN, ye have done it unto me.”

And now friends, fellow-citizens, as we stand before these honored graves, the momentous question presents itself, which of the two parties to the war is responsible for all this suffering,—for this dreadful sacrifice of life,—the lawful and constitutional government of the United States, or the ambitious men who have rebelled against it? I say “rebelled” against it, although Earl Russell, the British Secretary of State for Foreign Affairs, in his recent temperate and conciliatory speech in Scotland, seems to intimate that no prejudice ought to attach to that word, inasmuch as our English forefathers rebelled against Charles I. and James II., and our American fathers rebelled against George III. These certainly are venerable precedents, but they prove only that it is just and proper to rebel against oppressive governments. They do not prove that it was just and proper for the son of James II. to rebel against George I., or his grandson Charles Edward to rebel against George II.; nor, as it seems to me, ought these dynastic struggles, little better than family quarrels, to be compared with this monstrous conspiracy against the American Union. These precedents do not prove that it

was just and proper for the "disappointed great men" of the cotton-growing States to rebel against "the most beneficent government of which history gives any account," as the Vice-President of the Confederacy, in November, 1860, charged them with doing. They do not create a presumption even in favor of the disloyal slaveholders of the South, who, living under a government of which Mr. Jefferson Davis, in the session of 1860-61, said that it was "the best government ever instituted by men, unexceptionably administered, and under which the people have been prosperous beyond comparison with any other people whose career has been recorded in history," rebelled against it, because their aspiring politicians, himself among the rest, were in danger of losing their monopoly of its offices. What would have been thought by an impartial posterity of the American rebellion against George III., if the colonists had at all times been more than equally represented in Parliament, and James Otis, and Patrick Henry, and Washington, and Franklin, and the Adamases, and Hancock, and Jefferson, and men of their stamp, had for two generations enjoyed the confidence of the sovereign, and administered the government of the Empire? What would have been thought of the rebellion against Charles I., if Cromwell, and the men of his school had been the responsible advisers of that prince from his accession to the throne, and then, on account of a partial change in the ministry, brought his head to the block, and involved the country in a desolating war, in order to establish a new government south of the Trent? What would have been thought of the Whigs of 1688, if they had themselves composed the cabinet of James II., and had been the advisers of the measures, and the promoters of the policy which drove him into exile? The Puritans of 1640 and the Whigs of 1688 rebelled against arbitrary power in order to establish constitutional liberty. If they had risen against Charles and James because those monarchs favored equal rights, and in order themselves, "for the first time in the history of the world," to establish an oligarchy "founded on the corner-stone of slavery," they would truly have furnished a precedent for the rebels of the South, but their cause would not have been sustained by the eloquence of Pym or of Somers, nor sealed with the blood of Hampden or Russell.

I call the war which the Confederates are waging against the Union a "Rebellion," because it is one, and in grave matters it is best to call things by their right names. I speak of it as a crime,

because the Constitution of the United States so regards it, and puts "rebellion" on a par with "invasion." The Constitution and law not only of England, but of every civilized country, regard them in the same light; or rather they consider the rebel in arms as far worse than the alien enemy. To levy war against the United States is the constitutional definition of treason, and that crime is, by every civilized government, regarded as the highest which citizen or subject can commit. Not content with the sanctions of human justice, of all the crimes against the law of the land it is singled out for the denunciations of religion. The litanies of every church in Christendom, as far as I am aware, from the metropolitan cathedrals of Europe to the humblest missionary chapel in the islands of the sea, concur with the Church of England in imploring the Sovereign of the universe, by the most awful adjurations which the heart of man can conceive or his tongue utter, to deliver us from "sedition, privy conspiracy, and rebellion." And reason good,—for while a rebellion against tyranny; a rebellion designed, after prostrating arbitrary power, to establish free government on the basis of justice and truth, is an enterprise on which good men and angels may look with complacency; an unprovoked rebellion of ambitious men against a beneficent government, for the purpose—the avowed purpose—of establishing, extending, and perpetuating any form of injustice and wrong, is an imitation on earth of that first foul revolt of "the Infernal Serpent," against which the Supreme Majesty of Heaven sent forth the armed myriads of his angels, and clothed the right arm of his Son with the three-bolted thunders of Omnipotence.

Lord Bacon, "in the true marshalling of the sovereign degrees of honor," assigns the first place to "the *Conditores Imperiorum*, founders of States and Commonwealths;" and truly to build up from the discordant elements of our nature; the passions, the interests, and the opinions of the individual man; the rivalries of family, clan, and tribe; the influences of climate and geographical position; the accidents of peace and war accumulated for ages,—to build up from these oftentimes warring elements, a well-compacted, prosperous, and powerful State, if it were to be accomplished by one effort, or in one generation, would require a more than mortal skill. To contribute in some notable degree to this the greatest work of men, by wise and patriotic counsel in peace, and loyal heroism in war, is as high as human merit can well rise; and far more than to any of those to whom Bacon assigns this highest place of honor, whose names can

hardly be repeated without a wondering smile,—Romulus, Cyrus, Cæsar, Ottoman, Ismael,—is it due to our Washington, as the founder of the American Union. But if to achieve or help to achieve this greatest work man's wisdom and virtue gives title to a place among the chief benefactors, rightful heirs of the benedictions, of mankind, by equal reason shall the bold bad men who seek to undo the noble work,—*Eversores Imperiorum*, destroyers of States,—who for base and selfish ends rebel against beneficent governments, seek to overturn wise constitutions, to lay powerful republican unions at the foot of foreign thrones, to bring on civil and foreign war, anarchy at home, dictation abroad, desolation, ruin,—by equal reason, I say, yes a thousand-fold stronger, shall they inherit the execrations of the ages.

But to hide the deformity of the crime under the cloak of that sophistry which strives to make the worse appear the better reason, we are told by the leaders of the rebellion that, in our complex system of government, the separate States are “sovereign,” and that the central power is only an “agency” established by these sovereigns to manage certain little affairs, such forsooth as Peace, War, Army, Navy, Finance, Territory, and Relations with the Indian tribes which they could not so conveniently administer themselves. It happens unfortunately for this theory that the Federal Constitution, (which has been adopted by the people of every State of the Union as much as their own State Constitutions have been adopted, and declared to be paramount to them,) nowhere recognizes the States as “sovereigns,” in fact, that by their names, it does not recognize them at all; while the authority established by that instrument is recognized, in its text, not as an “agency,” but as “the government of the United States.” By that Constitution, moreover, which purports in its preamble to be ordained and established by “the people of the United States,” it is expressly provided “that the members of the State legislatures and all executive and judicial officers shall be bound by oath or affirmation to support this Constitution.” Now it is a common thing, under all governments, for an agent to be bound by oath to be faithful to his sovereign, but I never heard before of sovereigns being bound by oath to be faithful to their agency.

Certainly I do not deny that the separate States are clothed with sovereign powers for the administration of local affairs. It is one of the most beautiful features of our mixed system of government, but it is equally true that, in adopting the Federal Constitution the States abdicated, by express renunciation, all the most important

functions of National Sovereignty, and by one comprehensive self-denying clause, gave up all right to contravene the Constitution of the United States. Specifically, and by enumeration, they renounced all the most important prerogatives of Independent States for peace and for war, the right to keep troops or ships-of-war in time of peace, or to engage in war unless actually invaded; to enter into compact with another State or a foreign power; to lay any duty on tonnage, or any impost on exports or imports without the consent of Congress; to enter into any treaty, alliance, or confederation; to grant letters of marque and reprisal, and to emit bills of credit; while all these powers and many others are expressly vested in the General Government. To ascribe to political communities, thus limited in their jurisdiction,—who cannot even establish a post-office on their own soil,—the character of independent sovereignty, and to reduce a national organization, clothed with all the transcendent powers of government, to the name and condition of an “agency” of the States, proves nothing but that the logic of secession is on a par with its loyalty and patriotism.

Oh, but the “reserved rights!” And what of the reserved rights? The tenth amendment of the Constitution, supposed to provide for “reserved rights,” is constantly misquoted. By that amendment “the *powers* not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” The “powers” reserved must of course be such as could have been, but were not, delegated to the United States;—could have been, but were not, prohibited to the States;—but to speak of the *right* of an *individual* State to secede, as a *power* that could have been, though it was not, delegated to the *United States*, is simple nonsense.

But waiving this obvious absurdity, can it need a serious argument to prove that there can be no State right to enter into a new Confederation reserved under a constitution which expressly prohibits a State to “enter into any treaty, alliance, or confederation,” or any “agreement or compact with another State or a foreign power?” To say that the State may, by enacting the preliminary farce of secession, acquire the right to do the prohibited things;—to say for instance, that, though the States, in forming the Constitution, delegated to the United States and prohibited to themselves the power of declaring war, there was by implication reserved to each State the right of seceding and then declaring war; that though they

expressly prohibited to the States, and delegated to the United States the entire treaty-making power, they reserved by implication (for an express reservation is not pretended,) to the individual States, to Florida for instance, the right to secede and then to make a treaty with Spain, retroceding that Spanish colony, and thus surrendering to a foreign power the key to the Gulf of Mexico,—to maintain propositions like these, with whatever affected seriousness it is done, appears to me egregious trifling.

Pardon me, my friends, for dwelling on these wretched sophistries. But it is these which conducted the armed hosts of rebellion to your doors, on the terrible and glorious days of July, and which have brought upon the whole land the scourge of an aggressive and wicked war,—a war which can have no other termination compatible with the permanent safety and welfare of the country, but the complete destruction of the military power of the enemy. I have, on other occasions, attempted to show that to yield to his demands and acknowledge his independence, thus resolving the Union at once into two hostile governments, with a certainty of further disintegration, would annihilate the strength and the influence of the country, as a member of the family of nations; afford to foreign powers the opportunity and the temptation for disastrous and humiliating interference in our affairs; wrest from the Middle and Western States some of their great natural outlets to the sea, and of their most important lines of internal communication; deprive the commerce and navigation of the country of two-thirds of our sea-coast and of the fortresses which protect it;—not only so, but would enable each individual State, some of them with a white population equal to a good-sized northern county, or rather the dominant party in each State, to cede its territory, its harbors, its fortresses, the mouths of its rivers, to any foreign power. It cannot be that the people of the loyal States,—that twenty-two millions of brave and prosperous freemen,—will, for the temptation of a brief truce in an eternal border war, consent to this hideous national suicide.

Do not think that I exaggerate the consequences of yielding to the demands of the leaders of the rebellion. I understate them. They require of us not only all the sacrifices I have named, not only the cession to them—a foreign and hostile power—of all the territory of the United States at present occupied by the rebel forces, but the abandonment to them of the vast regions we have rescued from their grasp,—of Maryland, of a part of Eastern Virginia and the

whole of Western Virginia, the sea-coast of North and South Carolina, Georgia, and Florida; Kentucky, Tennessee, and Missouri; Arkansas and the larger portion of the Mississippi and Louisiana, in most which, with the exception of lawless guerillas there is not a rebel in arms; in all of which the great majority of the people are loyal to the Union, We must give back, too, the helpless colored population, thousands of whom are perilling their lives in the ranks of our armies, to a bondage rendered tenfold more bitter, by the momentary enjoyment of freedom. Finally, we must surrender every man in the southern country, white or black, who has moved a finger or spoken a word for the restoration of the Union, to a reign of terror as remorseless as that of Robespierre, which has been the chief instrument by which the rebellion has been organized and sustained, and which has already filled the prisons of the South with noble men, whose only crime is that they are not the worst of criminals. The South is full of such men. I do not believe there has been a day since the election of President Lincoln, when, if an ordinance of secession could have been fairly submitted to the mass of the people, in any single Southern State, a majority of ballots would have been given in its favor. No, not in South Carolina. It is not possible that the majority of the people, even of that State, if permitted, without fear or favor, to give a ballot on the question, would have abandoned a leader like Petigru, and all the memories of the Gadsdens, the Rutledges, and the Cotesworth Pinckneys of the revolutionary and constitutional age, to follow the agitators of the present day.

Nor must we be deterred from the vigorous prosecution of the war, by the suggestion continually thrown out by the rebels and those who sympathize with them, that, however it might have been at an earlier stage, there has been engendered by the operations of the war a state of exasperation and bitterness which, independent of all reference to the original nature of the matters in controversy, will forever prevent the restoration of the Union and the return of harmony between the two great sections of the country. This opinion I take to be entirely without foundation.

No man can deplore more than I do the miseries of every kind, unavoidably incident to war. Who could stand on this spot and call to mind the scenes of the first days of July with any other feeling? A sad foreboding of what would ensue, if war should break out

between North and South, has haunted me through life, and led me perhaps too long to tread in the path of hopeless compromise, in the fond endeavor to conciliate those who were predetermined not to be conciliated. But it is not true, as is pretended by the rebels and their sympathizers, that the war has been carried on by the United States, without entire regard to those temperaments which are enjoined by the laws of nations, by our modern civilization, and by the spirit of Christianity. It would be quite easy to point out, in the recent military history of the leading European powers, acts of violence and cruelty, in the prosecution of their wars, to which no parallel can be found among us. In fact when we consider the peculiar bitterness with which civil wars are almost invariably waged, we may justly boast of the manner in which the United States have carried on the contest. It is of course impossible to prevent the lawless acts of stragglers and deserters, or the occasional unwarrantable proceedings of subordinates on distant stations; but I do not believe there is, in all history, the record of a civil war of such gigantic dimensions where so little has been done in the spirit of vindictiveness, as in this war, by the government and commanders of the United States; and this notwithstanding the provocation given by the rebel government by assuming the responsibility of wretches like Quantrell, refusing quarter to colored troops and scourging and selling into slavery free colored men from the North who fall into their hands, by covering the sea with pirates, refusing a just exchange of prisoners while they crowd their armies with paroled prisoners not exchanged, and starving prisoners of war to death.

In the next place, if there are any present who believe that, in addition to the effect of the military operations of the war, the confiscation acts and emancipation proclamations have embittered the rebels beyond the possibility of reconciliation, I would request them to reflect, that the tone of the rebel leaders and rebel press was just as bitter in the first months of the war, nay before a gun was fired, as it is now. There were speeches made in Congress in the very last session before the outbreak of the rebellion, so ferocious, as to show that their authors were under the influence of a real frenzy. At the present day, if there is any discrimination made by the Confederate press in the affected scorn, hatred, and contumely, with which every shade of opinion and sentiment in the loyal States is treated, the bitterest contempt is bestowed upon those at the

North who still speak the language of compromise, and who condemn those measures of the administration which are alleged to have rendered the return of peace hopeless.

No, my friends, that gracious Providence which overrules all things for the best, from seeming evil still educing good, has so constituted our natures, that the violent excitement of the passions in one direction is generally followed by a reaction in an opposite direction, and the sooner for the violence. If it were not so—if injuries inflicted and retaliated of necessity led to new retaliations, with forever accumulating compound interest of revenge,—then the world, thousands of years ago, would have been turned into an earthly hell, and the nations of the earth would have been resolved into clans of furies and demons, each forever warring with his neighbor. But it is not so. All history teaches a different lesson. The wars of the Roses in England lasted an entire generation, from the battle of St. Albans, in 1455, to that of Bosworth Field, in 1485. Speaking of the former, Hume says: “This was the first blood spilt in that fatal quarrel, which was not finished in less than a course of thirty years; which was signalized by twelve pitched battles; which opened a scene of extraordinary fierceness and cruelty; is computed to have cost the lives of eighty princes of the blood; and almost entirely annihilated the ancient nobility of England. The strong attachments which, at that time, men of the same kindred bore to each other, and the vindictive spirit which was considered a point of honor, rendered the great families implacable in their resentments, and widened every moment the breach between the parties.” Such was the state of things in England under which an entire generation grew up; but when Henry VII., in whom the titles of the two houses were united, went up to London after the battle of Bosworth Field to mount the throne, he was everywhere received with joyous acclamations, “as one ordained and sent from Heaven to put an end to the dissensions” which had so long afflicted the country.

The great rebellion in England of the seventeenth century, after long and angry premonitions, may be said to have begun with the calling of the Long Parliament, in 1640, and to have ended with the return of Charles II., in 1660,—twenty years of discord, conflict, and civil war; of confiscation, plunder, havoc; a proud hereditary peerage trampled in the dust; a national church overturned, its clergy beggared, its most eminent prelate put to death; a military despotism established on the ruins of a monarchy which had

subsisted seven hundred years, and the legitimate sovereign brought to the block; the great families which adhered to the king proscribed, impoverished ruined; prisoners of war—a fate worse than confinement in Libby—sold to slavery in the West Indies;—in a word, everything that can embitter and madden contending factions. Such was the state of things for twenty years, and yet, by no gentle transition, but suddenly, and “when the restoration of affairs appeared most hopeless,” the son of the beheaded sovereign was brought back to his father’s blood-stained throne, with such “unexpressible and universal joy,” as led the merry monarch to exclaim, “He doubted it had been his own fault he had been absent so long, for he saw nobody who did not protest he had ever wished for his return.” “In this wonderful manner,” says Clarendon, “and with this incredible expedition, did God put an end to a rebellion that had raged near twenty years, and had been carried on with all the horrid circumstances of murder, devastation, and parricide, that fire and sword, in the hands of the most wicked men in the world [it is a royalist that is speaking] could be instruments of, almost to the desolation of two kingdoms, and the exceeding defacing and deforming of the third. . . . By these remarkable steps did the merciful hand of God, in this short space of time, not only bind up and heal all those wounds, but even made the scar as undiscernible as, in respect of the deepness, was possible, which was a glorious addition to the deliverance.”

In Germany, the wars of the Reformation and of Charles V. in the sixteenth century, the thirty years’ war in the seventeenth century, the seven years’ war in the eighteenth century, not to speak of other less celebrated contests, entailed upon that country all the miseries of intestine strife for more than three centuries. At the close of the last-named war, which was the shortest of all, and waged in the most civilized age, “An officer,” says Archenholz, “rode through seven villages in Hesse, and found in them but one human being.” More than three hundred principalities, comprehended in the empire, fermented with the fierce passions of proud and petty states; at the commencement of this period the castles of robber counts frowned upon every hill-top; a dreadful secret tribunal, whose seat no one knew, whose power none could escape, froze the hearts of men with terror throughout the land; religious hatred mingled its bitter poison in the seething cauldron of provincial animosity; but of all these deadly enmities between the States of Ger-

many, scarcely the memory remains. There is no country in the world in which the sentiment of national brotherhood is stronger. There are controversies in that country, at the present day, but they grow mainly out of the rivalry of the two leading powers.

In Italy, on the breaking up of the Roman Empire, society might be said to be resolved into its original elements;—into hostile atoms, whose only movement was that of mutual repulsion. Ruthless barbarians had destroyed the old organizations and covered the land with a merciless feudalism. As the new civilization grew up, under the wing of the Church, the noble families and the walled towns fell madly into conflict with each other; the secular feud of pope and emperor scourged the land; province against province; city against city; street against street waged remorseless war against each other from father to son, till Dante was able to fill his imaginary hell with the real demons of Italian history. So ferocious had the factions become, that the great poet-exile himself, the glory of his native city and of his native language, was by a decree of the municipality, ordered to be burned alive, if found in the city of Florence. But these deadly feuds and hatreds yielded to political influences, as the hostile cities were grouped into states under stable governments; the lingering traditions of the ancient animosities gradually died away, and now Tuscan and Lombard, Sardinian and Neapolitan, as if to shame the degenerate sons of America, are joining in one cry for an united Italy.

In France, not to go back to the civil wars of the League in the sixteenth century, and of the Fronde in the seventeenth,—not to speak of the dreadful scenes throughout the kingdom which followed the revocation of the edict of Nantes,—we have, in the great revolution which commenced at the close of the last century, seen the bloodhounds of civil strife let loose as rarely before in the history of the world. The reign of terror established at Paris, stretched its bloody Briarean arms to every city and village in the land, and if the most deadly feuds which ever divided a people had the power to cause permanent alienation and hatred, this surely was the occasion. But far otherwise the fact. In seven years from the fall of Robespierre, the strong arm of the youthful conqueror brought order out of this chaos of crime and woe; Jacobins, whose hands were scarcely cleansed from the best blood of France, met the returning emigrants whose estates they had confiscated and whose kindred they had dragged to the guillotine, in the Imperial antechambers;

and when, after another turn of the wheel of fortune, Louis XVIII. was restored to his throne, he took the regicide Fouché, who had voted for his brother's death, to his cabinet and confidence.

The people of loyal America will never desire you, Sir, to take to your confidence or admit again to a share in the government the hard-hearted men whose cruel lust of power has brought this desolating war upon the land, but there is no personal bitterness felt even against them. They may live, if they can bear to live, after wantonly causing the death of so many thousands of their fellow-men; they may live in safe obscurity beneath the shelter of the government they have sought to overthrow, or they may fly to the protection of the governments of Europe,—some of them are already there, seeking, happily in vain, to obtain the aid of foreign powers in furtherance of their own treason. There let them stay. The humblest dead soldier, that lies cold and stiff in his grave before us, is an object of envy beneath the clods that cover him, in comparison with the living man, I care not with what trumpery credentials he may be furnished, who is willing to grovel at the foot of a foreign throne, for assistance in compassing the ruin of his country.

But the hour is coming, and now is, when the power of the leaders of the rebellion to delude and inflame must cease. There is no bitterness on the part of the masses. The people of the South are not going to wage an eternal war for the wretched pretexts by which this rebellion is sought to be justified. The bonds that unite us as one people, a substantial community of origin, language, belief, and law, (the four great ties that hold the societies of men together,) common national and political interests; a common history; a common pride in a glorious ancestry; a common interest in this great heritage of blessings; the very geographical features of the country; the mighty rivers that cross the lines of climate and thus facilitate the interchange of natural and industrial products; while the wonder-working arm of the engineer has levelled the mountain walls which separate the East and West, compelling your own Alleghanies, my Maryland and Pennsylvania friends, to open wide their everlasting doors to the chariot-wheels of traffic and travel; these bonds of union are of perennial force and energy, while the causes of alienation are imaginary, factitious, and transient. The heart of the people, North and South, is for the Union. Indications, too plain to be mistaken, announce the fact

both in the east and the west of the States in rebellion. In North Carolina and Arkansas the fatal charm at length is broken. At Raleigh and Little Rock the lips of honest and brave men are unsealed, and an independent press is unlimbering its artillery. When its rifled cannon shall begin to roar, the hosts of treasonable sophistry, the mad delusions of the day, will fly like the rebel army through the passes of yonder mountain. The weary masses of the people are yearning to see the dear old flag again floating upon their capitols, and they sigh for the return of the peace, prosperity, and happiness which they enjoyed under a government whose power was felt only in its blessings.

And now, friends, fellow-citizens of Gettysburg and Pennsylvania, and you from the remoter States, let me again, as we part, invoke your benediction on these honored graves. You feel, though the occasion is mournful, that it is good to be here. You feel that it was greatly auspicious for the cause of the country that the men of the East and the men of the West, the men of nineteen sister States, stood side by side on the perilous ridges of the battle. You now feel it a new bond of union, that they shall lie side by side, till a clarion louder than that which marshalled them to the combat, shall awake their slumbers. God bless the Union;—it is dearer to us for the blood of the brave men shed in its defence. The spots on which they stood and fell; these pleasant heights; the fertile plain beneath them; the thriving village whose streets so lately rang with the strange din of war; the fields beyond the ridge, where the noble Reynolds held the advancing foe at bay, and while he gave up his own life, assured by his forethought and self-sacrifice, the triumph of the two succeeding days; the little streams which wind through the hills, on whose banks in after times the wondering ploughman will turn up, with the rude weapons of savage warfare, the fearful missiles of modern artillery; the Seminary Ridge, the peach-orchard, Cemetery, Culp's, and Wolf's Hills, Round Top, Little Round Top, humble names, henceforward dear and famous; no lapse of time, no distance of space shall cause you to be forgotten. "The whole earth," said Pericles, as he stood over the remains of his fellow-citizens who had fallen in the first year of the Peloponnesian war, "the whole earth is the sepulchre of illustrious men." All time, he might have added, is the millenium of their glory. Surely I would do no injustice to the other noble achievements of the war, which have reflected such honor on both arms of

the service, and have entitled the armies and the navy of the United States, their officers and men, to the warmest thanks and the richest rewards which a grateful people can pay. But they, I am sure, will join us in saying, as we bid farewell to the dust of these martyr-heroes, that wheresoever throughout the civilized world the accounts of this great warfare are read, and down to the latest period of recorded time, in the glorious annals of our common country, there will be no brighter page than that which relates
THE BATTLES OF GETTYSBURG.

[C.]

DEDICATORY SPEECH BY PRESIDENT LINCOLN.

Fourscore and seven years ago, our fathers brought forth upon this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation—or any nation, so conceived and so dedicated—can long endure.

We are met on a great battle-field of that war. We are met to dedicate a portion of it as the final resting-place of those who have given their lives that that nation might live.

It is altogether fitting and proper that we should do this.

But, in a larger sense, we cannot dedicate, we cannot consecrate, we cannot hallow, this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our power to add or to detract.

The world will very little note nor long remember what we say here; but it can never forget what they did here.

It is for us, the living, rather, *to be dedicated*, here, to the unfinished work that they have thus far so nobly carried on. It is rather for us to be here dedicated to the great task remaining before us; that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that the nation shall, under God, have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth.

[D.]

Names of Massachusetts Soldiers buried in the Massachusetts Lot, in Cemetery at Gettysburg, Pennsylvania.

Section.	Number of Grave.	N A M E .	Regiment.	Company.	Remarks.
A.*	1	A. Murphy, ...	9th Batt'y.	—	
"	2	J. W. Verity, ...	5th Batt'y,	—	{ Killed, July 3, 1863, aged 17 years.
"	3	E. F. F., ...	"	—	
"	4	John Crasson, ...	9th Batt'y.	—	
"	5	H. P. Burrill, ...	20th Reg't.	—	
"	6	Thomas Kelly, ...	"	A.	
"	7	George Lucas, ...	"	D,	Killed, July 3, 1863.
"	8	Louis Kraft, ...	"	C,	Killed, July 3, 1863.
"	9	T. H. Gallivan, ...	"	F.	
"	10	M. Kinarch, ...	"	H.	
"	11	E. Barry, ...	"	C.	
"	12	Serg't G. Jaekel, ...	"	B,	Killed, July 3, 1863.
"	13	Patrick O'Keefe, ...	"	F.	
"	14	Thomas Downey, ...	"	E.	
"	15	Corp. J. Somerville, ...	"	E.	
"	16	William Inch, ...	"	D,	Killed, July 3, 1863.
"	17	A. Deitling, ...	"	C.	
"	18	Serg't George F. Cate, ...	"	A,	Killed, July 3, 1863.
"	19	G. Weisensee, ...	"	B.	
"	20	Frederick Quinlan, ...	"	F.	
"	21	G. C. Plant, ...	"	A.	
"	22	Hugh Blair, ...	"	H.	
"	23	Patrick Manning, ...	"	D.	
"	24	John McClarence, ...	"	F.	
"	25	John Dippolt, ...	"	B.	
"	26	Hiram B. Howard, ...	"	D.	

* All in this Section are buried in the outer parallel.

Names of Massachusetts Soldiers—Continued.

Section.	Number of Grave.	N A M E .	Regiment.	Company.	Remarks.
A.	27	Eugene McLaughlin, . . .	20th Reg't,	F,	Died, July 6, 1863.
"	28	Corp. John Burk, . . .	"	K,	Died, Aug. 9, 1863.
"	29	Alex Atkins, ...	"	D.	
"	30	James Lane, ...	"	F.	
"	31	George F. Fales of Boston, {	Excelsior { of N. Y., }	D.	
"	32	George S. Wise, . . .	13th Reg't,	D,	Died, July 12, 1863.
"	33	Michael Laughlin, . . .	"	H,	Died, Nov. 8, 1863.
"	34	Edwin Field, ...	"	B.	
"	35	John Brock, ...	"	H.	
"	36	F. A. Gould, ...	"	K.	
"	37	Corp. F. A. Dunston, . .	"	H.	
"	38	John Flye, ...	"	K,	Died, July 27, 1863.
"	39	Serg't Edgar A. Fiske, . .	"	E.	
B.*	1	Charles Trainer, ...	2d Reg't,	I.	
"	2	W. T. Bullard, ...	"	A.	
"	3	John Joy, ...	"	I.	
"	4	P. H. Peck, ...	"	C.	
"	5	Stephen Cody, ...	"	I.	
"	6	Richard Seavers, ...	"	H.	
"	7	George Bailey, ...	"	I.	
"	8	A. Nelson, ...	"	D.	
"	9	John Daur, ...	"	D.	
"	10	Corp. Gordon S. Wilson, .	"	G.	
"	11	Joseph Furber, ...	"	G.	
"	12	Rupert J. Saddler, Col. Corp.,	"	D,	Killed, July 3, 1863.
"	13	Frederick Maynard, . .	"	D.	
"	14	P. Hoey, ...	"	A,	Killed, July 3, 1863.
"	15	Serg't L. C. Durgin, . .	"	A.	

* Second parallel.

Names of Massachusetts Soldiers—Continued.

Section.	Number of Grave.	N A M E .	Regiment.	Company.	Remarks.
B.	16	Corp. William Marshall, . . .	2d Reg't,	C,	Killed, July 3, 1863.
"	17	Corp. Ruel Whittier, . . .	"	B.	
"	18	J. Edmands, ...	"	I,	Died, July 5, 1863.
"	19	J. C. Farrington, ...	"	H,	Killed, July 3, 1863.
"	20	P. Canlon, ...	"	B,	Died, July 11, 1863.
"	21	S. S. Prouty, ...	"	A,	Died, July 19, 1863.
"	22	F. Goetz, ...	"	C,	Died, July 6, 1863.
"	23	Corp. Theodore Bulters, . .	"	I,	Died, Aug. 31, 1863.
"	24	David Brown, ...	"	I,	Died, Aug. 21, 1863.
"	25	William H. Ela, ...	"	D,	Died, Aug. 10, 1863.
"	26	J. A. Chase, ...	"	C,	Died, Aug. 16, 1863.
"	27	C. Kernar, ...	"	F,	Died, Aug. 13, 1863.
"	28	And Moore, ...	1st Reg't,	F.	
"	29	Lieut. Henry Hartley, . . .	"	E.	
"	30	Frederick S. Kettell, . . .	"	E,	Died, Aug. 2, 1863.
"	31	George Golden, ...	"	B,	Died, July 13, 1863.
"	32	David H. Eaton, ...	"	B,	Died, July 15, 1863.
"	33	Jacob Kesland, ...	"	B.	
"	34	Serg't E. J. McGinnis, . . .	"	C,	Killed, July 2, 1863.
"	35	J. Mathews, ...	"	B,	Killed, July 2, 1863.
"	36	Serg't William Kelren, . . .	"	E.	
"	37	Corp. Henry Evans, ...	"	A.	
C.*	1	J. L. Johnson, ...	11th Reg't,	K,	Died, Aug. 4, 1863.
"	2	Joseph Marshal, ...	"	K,	Died, Aug. 3, 1863.
"	3	James E. Butler, ...	"	D,	Died, Aug. 2, 1863.
"	4	Michael Doherty, ...	"	A,	Killed, July 2, 1863.
"	5	Lucius Staples, ...	"	A,	Killed, July 2, 1863.
"	6	Corp. Edwin F. Trufant, . .	"	F,	Killed, July 2, 1863.

* Third parallel.

Names of Massachusetts Soldiers—Continued.

Section.	Number of Grave.	N A M E .	Regiment.	Company.	Remarks.
C.	7	Corp. R. T. Knowlton, . . .	11th Reg't,	H.	
"	8	Serg't M. Sawtell, . . .	"	E,	Died, July 7, 1863.
"	9	J. S. Rice, ...	"	K,	Died, July 15, 1863.
"	10	Samuel A. Davis, . . .	"	K,	Died, Aug, 3, 1863.
"	11	F. S. Flint, ...	"	H,	Killed, July 3, 1863.
"	12	John Brodie, ...	—	—	
"	13	Serg't William Cary, . . .	12th Reg't,	I,	Killed, July 3, 1863.
"	14	George F. Lewis, . . .	"	H,	Killed, July 3, 1863.
"	15	Hardy P. Maury, . . .	"	H.	
"	16	Corp. T. H. Fenelon, . . .	32d Reg't,	G.	
"	17	W. D. Hudson, ...	"	H.	
"	18	B. Clark, ...	"	G,	Died, July 14, 1863.
"	19	Serg't James M. Haskell, .	"	A,	{ Died, Aug. 25, 1863, aged 28 years.
"	20	Alvin W. Lamb, ...	"	A,	Died, July, 1863.
"	21	William F. Baldwin, . . .	"	B,	Died, July 28, 1833.
"	22	Henry T. Wade, . . .	"	E,	Died, July 31, 1863.
"	23	Corp. William S. Gilman, .	"	K,	Died, July 28, 1863.
"	24	Daniel Stoddard, ...	"	F.	
"	25	Corp. N. Mayo, ...	"	F.	
"	26	T. J. Healy, ...	"	G.	
"	27	James H. Leavens, ...	18th Reg't,	J.	
"	28	Serg't Gorham Coffin, . . .	19th Reg't,	A,	Killed, July 2, 1863.
"	29	Serg't Joseph Ford, . . .	"	K,	Killed, July 2, 1863.
"	30	Edward Roche, ...	"	E,	Killed, July 3, 1863.
"	31	Corp. Thomas W. Tuttle, .	"	I,	Killed, July 2, 1863.
"	32	Jeremiah Wells, ...	"	—	Died, July 14, 1863.
"	33	Charles Gurney, ...	—	—	
"	34	E. Bassamunson, ...	—	—	
"	35	Elisha Covill, ...	37th Reg't,	F,	Died, July 22, 1863.

Names of Massachusetts Soldiers—Continued.

Section.	Number of Grave.	N A M E.	Regiment.	Company.	Remarks.
D.	1	Serg't Henry C. Ball, . . .	15th Reg't,	F.	
"	2	John Marsh, ...	"	B,	Killed, July 2, 1863.
"	3	Michael Flinn, ...	"	G.	
"	4	O. Stevens, ...	"	D,	Killed, July 3, 1863.
"	5	Geo. W. Cross, ...	"	E.	
"	6	Joseph Bardsley, ...	"	I.	
"	7	Francis Santum, ...	"	I.	
"	8	Francis A. Lewis, ...	"	A,	Killed, July 3, 1863.
"	9	J. E. Burns, ...	"	G,	Died, July 15, 1863.
"	10	G. L. Bass, ...	"	B.	
"	11	Serg't Edward B. Rollins, .	"	A.	
"	12	John Grady, ...	"	J.	
"	13	N. B. Bicknell, ...	11th Reg't,	C.	
"	14	Pierce Harvey, ...	15th Reg't,	—	Died, July 17, 1863.
"	15	G. Lambert, ...	"	F,	Died, July 17, 1863.
"	16	C. S. Field, ...	22d Reg't,	B.	
"	17	John Hickey, ...	28th Reg't,	C.	
"	18	John Caswell, ...	"	G.	
"	19	Edward Mooney, ...	"	D,	Killed, July 2, 1863.
"	20	Joseph Beal, ...	33d Reg't,	I,	Died, July 31, 1863.
"	21	C. H. Pierce, ...	"	E,	Died, July 12, 1863.
"	22	Unknown, ...	—	—	
"	23	Geo. Hills, of New Bedford, .	—	—	Died, July 20, 1863.
"	24	Corp. Patrick Scannell, . .	19th Reg't,	B,	Killed, July 3, 1863.
"	25	Serg't Alonzo J. Babcock, .	2d Reg't,	H,	{ Died, Aug. 6, 1863, aged 27 years.
"	26	Corp. Jules B. Allen, . .	33d Reg't,	D.	
"	27	Calvin Howe, ...	"	I.	
"	28	E. Howe, ...	"	H.	

Names of Massachusetts Soldiers—Concluded.

Section.	Number of Grave.	N A M E.	Regiment.	Company.	Remarks.
D.	29	J. Danforth, ...	19th Reg't,	C.	
"	30	C. A. Trask, ...	13th Reg't,	K.	
"	31	C. H. Wellington, ...	"	K.	

R E C A P I T U L A T I O N .

Section A,		39
Section B,		37
Section C,		35
Section D,		31
Total,		<u>142</u>

BOSTON, Dec. 21st, 1863.

To His Excellency, JOHN A. ANDREW, Governor of Massachusetts :

SIR,—I beg leave to present you herewith the Report of the meeting at Harrisburg, Pa., on 17th inst., of the Commissioners from the States of the Union, having soldiers buried in the “National Cemetery” at Gettysburg. Twelve States were there represented, and five others signified in advance their assent to the action of the Convention, in reference to the completion of the Cemetery. It is proposed to apply to the legislature of Pennsylvania for an Act of Incorporation of the Trustees of the “Soldiers’ National Cemetery,” at Gettysburg, and the Governor of each State interested therein, is requested to name one trustee to represent the interest of his respective portion of the Union, in the management of its affairs.

The estimated expenses of finishing the Cemetery, are \$63,500, and it is proposed to divide this sum amongst the different States there represented, in the ratio of their representation in Congress; and the proportion of Massachusetts will be \$4,205.30, there being 151 members from the States interested, giving \$420.53 each member.

I am, with much respect,
Your obedient servant,

HENRY EDWARDS.

SOLDIERS' NATIONAL CEMETERY AT GETTYSBURG.

HARRISBURG, Dec. 17th, 1863.

The Commissioners appointed by the Governors of the different States, which have soldiers buried in the Soldiers' National Cemetery, at Gettysburg, Pa., met at the Jones House in Harrisburg, Pa., at 3 o'clock, P. M., on the 17th of December, 1863.

The following named Commissioners were present, viz :—

Hon. B. W. Norris, of Maine.

Hon. L. B. Mason, of New Hampshire.

Mr. Henry Edwards, of Massachusetts.

Mr. Alfred Coit, of Connecticut.

Hon. Levi Scobey, of New Jersey.

Mr. David Wills, of Pennsylvania.

Col. James Worrall, of Pennsylvania.

Col. John S. Berry, of Maryland.

Mr. L. W. Brown, of Ohio.

Col. Gordon Lofland, of Ohio.

Col. John G. Stephenson, of Indiana.

Mr. W. Y. Selleck, of Wisconsin.

On motion of Col. Lofland, of Ohio, Mr. David Wills, of Pennsylvania, was elected Chairman of the Convention.

On motion of Col. Stephenson, of Indiana, Mr. W. Y. Selleck, of Wisconsin, was elected Secretary of the Convention.

After some discussion by the members of the Convention, Col. Stephenson, of Indiana, moved that a committee of four, of which the President of this Convention be one, be appointed for the purpose of preparing and putting in appropriate shape the details of the plan in reference to the Soldiers' National Cemetery at Gettysburg, Pa., to be presented to the Convention for their action, which was carried. The committee was appointed as follows :—

Chairman, Col. John G. Stephenson, of Indiana; Mr. Henry Edwards, of Massachusetts, Hon. Levi Scobey, of New Jersey, Mr. David Wills, of Pennsylvania.

On motion of Mr. Alfred Coit, of Connecticut, the Convention took a recess to await the action of the committee.

The Convention met again at 5 o'clock, P. M., to hear the report of the committee.

The committee made the following report:—

Whereas, In accordance with an invitation from David Wills, Esq., agent for his Excellency, A. G. Curtin, Governor of Pennsylvania, the Governors of the several States appointed Commissioners, who met at Harrisburg, December 17th, 1863, to represent the States in convention, for the purpose of making arrangements for finishing the SOLDIERS' NATIONAL CEMETERY: therefore, be it

Resolved, By the said Commissioners in convention assembled, that the following be submitted to the different States interested in the Soldiers' National Cemetery, through their respective Governors:—

1st. That the Commonwealth of Pennsylvania shall hold the title to the land which she has purchased at Gettysburg for the Soldiers' National Cemetery, in trust for States having soldiers buried in said Cemetery, in perpetuity for the purpose to which it is now applied.

2d. That the legislature of the Commonwealth of Pennsylvania, be requested to create a corporation to be managed by trustees, one to be appointed by each of the Governors of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Ohio, Indiana, Illinois Michigan, Wisconsin, Minnesota, and of such other States as may hereafter desire to be represented in this corporation, which trustees shall, at their first meeting, be divided into three classes. The term of office of the first class to expire on the first day of January, 1865. The second class on the first day of January, 1866. The third class on the first day of January, 1867. The vacancies thus occurring to be filled by the several Governors, and the persons thus appointed to fill such vacancies, to hold their office for the term of three years. This corporation to have exclusive control of the Soldiers' National Cemetery.

3d. The following is the estimated expense of finishing the Cemetery:—

Enclosing grounds, ...	\$15,000 00
Burial expenses and superintending, ...	6,000 00
Headstones, ...	10,000 00
Laying out grounds and planting trees, ...	5,000 00
Lodge, ...	2,000 00
Monument, ...	25,000 00
Total, ...	\$63,000 00

4th. That the several States be asked to appropriate a sum of money, to be determined by a division of the estimated expenses according to representation in Congress, to be expended in defraying the cost of removing and re-interring the dead and finishing the Cemetery, under directions of the Cemetery corporation.

5th. When the Cemetery shall have been finished, the grounds are to be kept in order, the house and enclosure in repair, out of a fund created by annual appropriations made by the States which may be represented in the Cemetery corporation, in proportion to their representation in Congress.

On motion of Col. Berry, of Maryland, the report of the committee was accepted, and the committee discharged.

It was moved by Col. Berry, of Maryland, that the report of the committee be considered *seriatim*, which was concurred in, and the report was then adopted in detail.

Letters from the Governors of the following States were received by Mr. Wills, Chairman of the Convention, which were not represented by Commissioners, expressing their disposition to approve any reasonable action of the Convention in reference to the completion of the Cemetery at Gettysburg, Pa., viz.:—

Hon. Horatio Seymour, of New York.

Hon. Austin Blair, of Michigan.

Hon. James Y. Smith, of Rhode Island.

Hon. Wm. Cannon, of Delaware.

Hon. Henry G. Swift, of Minnesota.

On motion of Mr. Scobey, of New Jersey, the following committee was appointed by the Chairman, with the view to procure designs of a monument to be erected in the Cemetery:—

Hon. Levi Scobey, of New Jersey.

Hon. B. W. Morris, of Maine.

Mr. D. W. Brown, of Ohio.

Col. J. G. Stephenson, of Indiana.

Col. John S. Berry, of Maryland.

On motion of Mr. Alfred Coit, of Connecticut, the plans and designs of the Soldiers' National Cemetery, as laid out and designed by Mr. Wm. Saunders, were adopted by the Convention.

A motion was made by Mr. Coit, of Connecticut, returning thanks to Mr. Wm. Saunders for the designs and drawings furnished gratuitously for the Soldiers' National Cemetery at Gettysburg, Pa.; which was unanimously adopted.

Mr. Brown, of Ohio, offered the following, which was adopted:—

Resolved, That Mr. Wm. Saunders be authorized to furnish forty photographs of the plan of the Soldiers' National Cemetery, for the use of the States having soldiers buried therein.

DAVID WILLS, *President*.

W. Y. SELICK, *Secretary*.

Number of Interments in the National Cemetery, up to December, 19, 1863.

Maine, ...	59	Virginia, ...	3
New Hampshire, ...	14	Ohio, ...	95
Vermont, ...	28	Indiana, ...	62
Massachusetts, ...	154	Illinois, ...	3
Rhode Island, ...	9	Michigan, ...	112
Connecticut, ...	18	Wisconsin, ...	57
New York, ...	449	Minnesota, ...	43
New Jersey, ...	35	U. S. Regulars, ...	72
Pennsylvania, ...	230	Unknown, ...	800
Delaware, ...	12		
Maryland, ...	16	Total, ...	2,271

[I V .]

STATE MILITARY ACADEMY.

The Commissioners appointed under the 73d chapter of the Resolves passed by the General Court of Massachusetts in the year 1863, to inquire into the expediency of establishing an Academy for the instruction of young men in mathematics ; civil, military and practical engineering ; and other studies in connection with infantry, artillery, and cavalry drill and practice, beg leave to report as follows :—

Immediately after their appointment they commenced the inquiries necessary to enable them to discharge the duty which it devolved upon them. They learned from the Secretary of the Commonwealth, that the action of the legislature, in adopting the Resolve under which the Commissioners were appointed, grew out of an application of the trustees of Leicester Academy, praying for aid toward extending the means of military instruction in that institution. It accordingly seemed to the Commissioners an act of justice toward the trustees to visit the academy, and inform themselves by personal observation of the progress already made in the introduction of military instruction and exercises. This was done on the 27th of August last. The Commissioners were courteously received at Leicester by the Trustees and the Principal, and every opportunity was afforded them of inspecting the institution, with reference to the objects of their inquiry.

Regarding the National Academy at West Point as the model establishment for military education, the Commissioners felt it to be expedient to visit that institution also, which they did on the 6th of October. Every facility was

afforded them, toward fulfilling the objects of their visit, by the superintendent, Colonel Bowman, and the officers of the academic faculty and staff. One of their number, Professor Mahan, has since addressed to the Commissioners in reply to their inquiries, a highly valuable detailed communication. With similar objects in view, they passed a day at Newport, inspecting, under the courteous guidance of Commodore Blake, and the gentlemen associated with him in the government and instruction of the Naval Academy, the various departments of that admirable institution.

The Commissioners have taken measures, by correspondence with our ministers at London and Paris, to procure authentic information on the subject of institutions for military education in Europe.

With the aid of the materials which they have collected and the information obtained, the Commissioners are preparing themselves to discharge their duty under the Resolve. The subject, however, is one of great compass and importance, requiring mature consideration. It has not been possible for the Commissioners, as yet, to bring to it all the time which it requires, and they therefore tender this Report in part, reserving for a future opportunity a more detailed report on all the matters referred to them.

Respectfully submitted for the Commissioners,

EDWARD EVERETT,

Chairman.

BOSTON, 31st October, 1863.

The Commissioners appointed under the 73d chapter of the Resolves of the General Court of the year 1863, beg leave further to report, as follows:—

The Commissioners, in the discharge of their duty, first considered the question, whether the design of the legislature, in passing the Resolve, might not be sufficiently accomplished, by the introduction of military instruction and military exercises into our colleges, academies, and schools. They were the rather led to this inquiry, by the circumstance that the immediate occasion of the adoption of the Resolve was an application of the trustees of Leicester Academy, for legislative aid, in the extension of military exercises already commenced in that respectable institution. This circumstance, as has been already stated in the preliminary report of the Commissioners, led them, in the commencement of their inquiries, to visit Leicester Academy, where they were received with great kindness by the Trustees, who afforded them full opportunity of witnessing the military exercises of the pupils. One half of the number having but just entered the academy, the ranks were of course to that extent less than they would be at the end of the year, but their appearance was highly creditable, and showed a degree of proficiency, in the manual exercise and company drill, hardly to have been expected under the circumstances of the case, at an institution where military instruction is necessarily limited and incidental. Similar exercises have been introduced at many of our educational institutions, and as the Commissioners are inclined to think, with advantage in many respects. It is generally felt that physical culture has, till lately, been too much neglected at our places of education, and gymnastic exercises have been introduced at many of them to remedy this defect. The manual exercise and military drill, if not of a nature wholly to supersede the exercises of the gymnasium, promote the same ends, while

they impart a knowledge of arms, and a dexterity in their use, indispensable to the soldier, and not without value in civil life. For these reasons the Commissioners would favor the extension of some encouragement to the introduction of military exercises into our colleges, academies, and schools of a higher grade. If, for instance, arms were furnished from the arsenals of the Commonwealth for the use at our places of education, in numbers sufficient for all boys over fifteen years of age, it would materially lessen the expense to the institutions, and, as the arms need not necessarily be of a quality to be used in the field, would not impose a burden on the State.

The Commissioners, however, are of opinion that the introduction of military exercises and drill into our places of education, though useful to the extent above mentioned, would by no means meet the requirements of the country and the times. While they look forward with confidence to the early success of the gigantic efforts making by the government and loyal people of the country to crush the existing rebellion, they cannot shut their eyes on the facts, not only that this hope may be disappointed, but that it will never be safe again for the people of the United States, to repose in the delusion that they are to be exempt from the occasional visitations of war. That the occurrence of war from time to time should be the necessary condition of national existence is an admission, which the philanthropist and the Christian are reluctant to make; but our own history, commencing from the foundation of the colonies, down to the present time, concurs with that of every other country and of every age, in forcing the unwelcome conclusion upon our minds. If we take into the account our Indian wars of earlier and later days, it will not be easy to find a period of thirty years of unbroken peace, from the landing at Jamestown and Plymouth. The earlier Indian wars were, it is true, on a small scale, but they were often of sufficient magnitude to strain to the utmost the infant resources of the colonies.

There is not only no reason to believe that the case will be different in this respect in time to come, but on the contrary, as we grow in numbers, resources and strength, the danger of being drawn into controversy with foreign powers will increase; for if, on the one hand, our growing strength is calculated to command the respect of other great powers, it will tend equally to awaken their jealousy and apprehension, and to involve us in their controversies. The wise remarks of Chief Justice Jay on this subject, in the third number of the *Federalist*, are still more applicable to the present state of things than to that which existed in 1787. Past experience has taught us that, through a scrupulous abstinence from all intermeddling with the politics of Europe is one of the oldest traditions of our government, it has not invariably procured respect for our rights, nor relieved us from the necessity of vindicating them by an appeal to arms.

When the present rebellion is crushed, the United States will come out of the war in a condition of great military strength, it is true, and one which will require and admit of a large reduction of the army and navy to a peace establishment; but it will still be necessary to present to the world a very imposing front on either element. With a commerce spread over every sea, and everywhere coming in contact with that of foreign powers; with two frontiers of three thousand miles upon the continent, and exposed as we must be to all the complications which attend the assertion of belligerent and neutral rights, we should show ourselves deaf to the lessons of the day and the hour, if we did not act upon the principle that the only security of peace is to be prepared for war. Earnestly as we may wish that friendly umpirage may one day take the place of an appeal to arms for the settlement of national controversies, that day it may be feared is still far distant.

Should our confident expectation of a speedy as well as an auspicious close of the present struggle unhappily be disappointed, one of two results will follow, which must be seriously contemplated by all those to whom the manage-

ment of public affairs and the protection of the great interests of the country are confided. Either the war, which has now lasted nearly three years, will drag on indefinitely, and become a burden and a scourge to every part of the country, which is what the rebels threaten if their demands are not complied with, their independence acknowledged, and the border States surrendered to them ;—or the government and loyal people of the country, despairing of a successful issue to the contest, must make up their minds to abandon it, and in that event allow the States now in rebellion to become a foreign power, actuated, if the language of their leaders and presses can be trusted, with feelings toward the North of the most embittered hostility and hatred. In this state of things, peace, if one can be patched up, will be but a hollow truce. All the causes of national controversy which can ever exist between conterminous powers, will operate with a force unexampled in the history of the world ; and no termination can be hoped for to this condition of constantly recurring border war, but the conquest and subjugation of one of the parties. That the North is not to be crushed in this secular contest need not be stated ; but the duration of the struggle, and the sacrifices which it will impose, will be greater or less in proportion to the military strength and resources called into action by the free States.

If these views are correct, they point, the Commissioners think, to the necessity of timely preparation for the future before us. Whatever the immediate complexion of that future may be, it will bring with it an imperative call for a more systematic, extensive, and effective development of the military power of the country than has yet taken place. Reposing undue confidence in the pacific policy of the country at home and abroad, we were surprised, at the outbreak of the rebellion, with a naval force sadly inferior to the exigency of the condition, and with a regular army wholly inadequate, even had its strength not been impaired by the treasonable defection of some of its chiefs, to the duty of maintaining the Union and upholding the authority of the

government. Nullification, in 1832, quailed before eight hundred men, quietly concentrated by General Scott in Fort Moultrie; and if, in 1860-61, the Southern forts had been strongly garrisoned and held by officers true to their oaths, as recommended by the same patriotic veteran, secession would have proved an equally ignominious failure. A well-organized army of 100,000 men, with a proportionate naval force, would have been amply sufficient, with the co-operation of the Union sentiment of the masses, to baffle the utmost efforts of the leaders of the rebellion; and this terrible sacrifice of treasure and life would have been spared.

Nor must it be forgotten that, in the contest which ensued, and which is still raging, the South has not only derived more than its proportionate share of the advantages of military education enjoyed at West Point, where it has always had a number of cadets beyond the proportion of its free population, but had established local military schools, organized on the same plan, in far greater numbers than the Northern States, some of them under the authority of their State governments. The military school at Lexington, in Virginia, was modelled on that of West Point, and the ablest general who has appeared in the Confederate service was for several years one of its instructors.

It must be borne in mind, as an indication of the demand likely to exist for a great increase in the means of military education, that even before the outbreak of the rebellion, and in a state of profound peace, there was a desire to obtain admission to West Point far beyond the capacity of the institution. The Commissioners have no means of knowing the number of unsuccessful applications for admission, but it is understood to have very far exceeded the number of successful applications. The number would no doubt have been much greater still, had it not been known throughout the country, that a very small portion of those desiring it were able to obtain admission, and that the circumstances were such as to take it out of the reach of general competition. The Commissioners presume that some of those who sought

an education at West Point did it for other reasons than a wish or an intention to devote themselves permanently to the profession of arms. But, on the other hand, there is no reason to doubt that this was the intention of far the greater number, nor that if the capacity of the institution and the subsequent openings in the service had been much greater than they are, the number of those desirous of entering it would have kept pace.

Supposing it to be then certain that the country needs and desires increased means of military education, the important question presents itself, how and by whom they shall be provided? Shall it be done by the General Government, by the States, or by individual enterprise? The Commissioners think that the last method may be dismissed without much discussion, for though very respectable private military academies exist in several of the States, the Commissioners are not aware that any of them are organized on a basis sufficiently comprehensive for all the branches of military education, or provided with the resources and appliances indispensable for that end. In addition to this, a still more serious difficulty would exist in any private institution, in the want of authority to govern it by martial law, which is supposed to be absolutely necessary in a military academy.

Taking it for granted, therefore, that we must look either to the General Government or that of the States for the increase of the means of military education, the Commissioners apprehend that the people of Massachusetts must, for the present and for some time to come, rely upon their own resources. The military academy at West Point is an admirable institution. The Commissioners—previously well acquainted with its character, one of them as a cadet educated under the venerable Colonel Thayer, the most distinguished of the able men who have presided over it, and others fully aware of its well-earned reputation—took an early opportunity of ascertaining its present condition by a visit in person. They found it, in almost all respects, everything that could be wished; and they are under the impres-

sion, that as far as the government has provided the means, no better or more thorough military education is to be obtained in any European institution. The Commissioners are, however, of the opinion, that as far as the number of pupils is concerned, the maximum capacity of West Point has been reached, or nearly so. One or two hundred additional cadets might perhaps be admitted without injury to the discipline of the institution, and this would give one additional cadet to each Congressional district; that is, ten in the aggregate to Massachusetts; a number too small to be of material consequence toward the end to be effected. It is not impossible that another military academy may be established by the government of the United States, to be situated in the West. Supposing this to be done, which is however a mere possibility, and that the new institution will be of equal magnitude with West Point, provision only would be made, in this way, for an additional number of cadets equal to those now educated there, or in other words for ten or twelve new cadets, or three annually for the State of Massachusetts. For these reasons, while the Commissioners are not aware that an enlarged provision for military education is actually contemplated by the government of the United States, to be effected in either of the ways mentioned, the utmost that could be expected, even if the existing provision should be doubled, either by the enlargement of West Point, or by the establishment of a second United States Military Academy, would be the annual addition of three to the number of cadets now allowed to Massachusetts.

If these views of the subject are correct, it is unnecessary to discuss the questions sometimes mooted, whether it would not, upon general principles, be wiser to leave to the United State government exclusively the entire charge of the military education of the people, and whether the establishment of local institutions for this purpose would not tend to foster feelings and create interests adverse to a patriotic nationality. If, as the Commissioners conceive, there is no probability that the General Government will greatly increase

its provision for military education, and such increased provision is deemed necessary by the legislature of Massachusetts, they must themselves assume the work, trusting to the sound principles of enlightened patriotism, and the strong Union sentiment which characterize her as a State, to prevent the institution established by her from becoming a nursery of those false notions and pernicious doctrines, which have had so much to do in producing the present state of things.

While the Commissioners have no fear that the political heresies alluded to will find shelter within any institution founded and patronized by the State of Massachusetts, they are of opinion that salutary results would flow from a generous emulation between the United States Academy and one established by the State, substantially on the same model and for the same purposes. Should similar institutions be founded in other States, the same effects would be produced still more extensively. The liberal emulation between our colleges and universities in different States has no doubt had a highly beneficial effect upon all of them. A like favorable influence would no doubt be executed by a national university, which has been a favorable object with many of our wisest statesmen, beginning with Washington. Had such a university been founded, standing in the same relation to general education throughout the country, which West Point does to military education, no one would have apprehended any sinister consequences from the continued existence and prosperity of the State establishments, or augured any thing but good from the competition or the coöperation of the two systems.

Under these impressions, the Commissioners, after maturely weighing the subject, have determined to recommend the establishment of a military academy for the State of Massachusetts, at which provision shall be made for the education of about two hundred young men of suitable age, to be divided into three classes; being at the present time one annually for every twenty-one thousand of the popula-

tion. No one, it is thought, who admits the importance of making any provision whatever for the military education of the people, will think that this is too large a number to receive its benefits. It is not probable that with an annual admission of less than seventy pupils, more than fifty would annually graduate. The proportion at West Point and Newport is far less. But if we assume fifty as the annual number, and twenty years as the average age of the graduates, we should, for the twenty-five remaining years of liability to military service, have $[50 \times 25]$ 1,250 as the aggregate number of persons in the State under the age of forty-five, who had received a thorough military education at the proposed academy. This is a little more than one-tenth of one per cent. on the population of Massachusetts [1,231,066] at the last census. If, however, we deduct one-half for those who, by removal from the State, disability, and death, will in the course of twenty-five years cease to be available, and then consider that in all human probability, our population will in twenty-five years have doubled, an average graduation of fifty cadets, while it would give us at the end of three years, at the utmost, but about one in every thousand of the population of 1860, would at the end of twenty-five years furnish but one in every four thousand of the then existing population. No one, it is believed, will think this an extravagant allowance.

It will be considered, in weighing the importance of an institution like that proposed, that, although some of the studies and exercises are of course purely military, and therefore of a nature to be useful only to those destined to the profession of arms, another and a very considerable portion of the studies belongs to a liberal education for any walk in life, and is in fact similar in kind to those pursued in our colleges and universities. It will accordingly be found, as a matter of experience, that a well-educated military officer, if otherwise a person of intelligence and practical talent, is usually well qualified for almost any of the active pursuits of life. Many of our most distinguished

railroad engineers have been educated at West Point ; and the same mathematical studies are pursued for civil and military service. Undoubtedly it is required in our colleges and universities, that the literary, critical, and ethical studies, which form the preparation for the professions, should be carried considerably farther than is practicable in a military or naval academy ; but no well-regulated institution of that kind neglects the solid branches of a liberal education,—such as the correct use of our own language, and a fair acquaintance with the French ; physical and political geography, particularly of our own country ; the history of the civilized nations of the earth, especially of the United States ; the constitution of the United States ; the elements and leading doctrines of international law, and the great principles of morals which regulate the conduct of Christian men. The plan of the military academy submitted by the Commissioners provides for instruction in all these branches, each of which is equally important in civil life and in the profession of arms. A considerable part of the drill and physical exercise of the cadet, regarded in their influence on corporeal development and health, is fully as serviceable, in a merely sanitary point of view, as the gymnastics taught in our colleges, and more likely to be pursued systematically and within discreet limits of effort and repose.

It will be seen that the Commissioners contemplate a first class institution. No other is worthy of Massachusetts. It must come up at once to the highest standard of the species of education proposed, and compare on a footing of equality with the United States Military Academy. On no other basis will it command the confidence of the public ; in no other way will its pupils in after life be able to sustain an honorable competition with their comrades in arms, who have been educated at West Point : while by adopting at the outset the standard established there, the generous emulation of the two establishments will be a source of mutual benefit.

Nor will the salutary influence of a first class institution, conducted under the auspices of the State, be lost on our

other educational establishments. The practice of competitive examinations for admission to the military academy will require the schools at which the candidates are prepared, to aim, in their turn, at an elevated standard. It has been emphatically stated in France that the polytechnic and military schools of that country, through the medium of the competitive examinations for admission, have exercised a constantly increasing beneficial influence on all the schools of the empire. As the studies in which the candidates will be examined are pursued to some extent in all the schools of the State, the Commissioners anticipate, from this source alone, a steadily exerted beneficial influence of the State establishment upon the local institutions. On this point the following extract is submitted from the report of the English Commissioners on military education in 1857. Speaking of the state of military education in France, they observe: "that the military schools, and the polytechnic more especially, exercise upon the common schools a most important influence. 'This is my one piece of advice,' said a distinguished French officer, General Poncelet, well known as a man of science, in conversation with us; 'fix your programme for admission at a high point; keep rigidly and uncompromisingly to it; reject all who do not reach it; and raise it gradually. Preparation will be made accordingly; the pupils will say to their masters, this is required, [for admission to the polytechnic or military school,] teach us this.' This will gradually raise the standard in all the preparatory schools in the country. So at least it has been in France."

The excellent general character of the common schools of Massachusetts will afford great facilities for the establishment of a high standard of qualification for admission to the State institution. The military and naval schools of the United States labor under disadvantage in this respect. As it is necessary, for paramount public reasons, that their pupils should be taken in geographical proportion, from every part of the Union, it follows as a necessary consequence, that the

requisite qualifications of candidates for admission should not rise above the state of education in any part of the country ; or if this principle is departed from, that the pupils admitted to one and the same class should differ widely in their state of preparation and consequent ability to proceed with the prescribed course of study. This last the Commissioners have reason to think is the case, both at West Point and Newport. While many of the candidates come well-prepared in the required studies, others from Congressional districts where education is as yet less advanced, are deficient in the first elements. In this way the time of accomplished teachers and the expensive machinery of the government academies are unprofitably wasted in imparting instruction in the most rudimental branches. Our compact and homogeneous population, and the excellent condition of the schools of Massachusetts, would admit a remedy for this evil, and enable us to fix a high standard of qualification, without excluding any part of the Commonwealth from the benefits of the institution. Another great advantage resulting from this state of things will be, that a three years course may be substituted for the four years course at West Point. The Commissioners suppose that one year, in the whole, is lost at that institution for want of a higher standard of studies requisite for admission.

It is unnecessary to state that the Commissioners, in the foregoing recommendation of a separate institution for military education, are in no degree insensible to the force of the considerations, by which His Excellency the Governor, in his message to the legislature of January, 1863, urges the organization of a comprehensive system of literary and scientific education, complete in all its parts, and in every branch of useful and liberal culture. On the contrary, the Commissioners are deeply impressed with the soundness of His Excellency's views, as with the force and eloquence with which they are set forth. They, however, find no allusion to military education in that portion of the governor's message, and the admitted necessity of controlling a military

academy by martial law would throw a very serious obstacle in the way of making it a part of a university. Other considerations point to the expediency of an independent and separate establishment.

The resolution of the legislature, under which the Commissioners are appointed, makes it their duty to report whether the Commonwealth has any, and what property, available for the endowment of such an institution. The estimated expense of establishing and maintaining the school will be given in detail in the plan of a military academy appended to this report. The Commissioners will here state, that they assume the first outlay for the land, buildings, furniture, apparatus, and other expenditures necessary to put the institution in operation to be about \$175,000, and of this sum they suppose one-half, perhaps more, would be contributed in land and money, by counties, towns, or individuals to secure the location of the academy. The annual expense of the institution they cannot estimate at less than \$56,000.

The State school fund and the flats belonging to the Commonwealth are the most prominent, if not the only, resources, as far as the Commissioners are aware, available for the endowment and support of an institution like that proposed. The State Commissioners, who have the matter in charge, have not as yet reported on the disposition to be made of this last named property. It seems certain that it must eventually constitute an ample fund for any purpose for which the legislature may direct its appropriation. Being without information of the extent to which it may be made immediately available, the Commissioners forbear to enlarge on the subject.

The school fund amounted on the first of January, 1863, to \$1,585,165, the income of which, for the past year, was \$98,248. The additions made to it in the course of the year, have increased it to \$1,870,970. By further additions from the Back Bay lands, it is supposed, by those well informed upon the subject, that this fund will at no distant period, be raised to at least three millions and a

quarter. The Commissioners are of opinion that this magnificent sum is amply sufficient, not merely for our common schools, but for the endowment of the institution herewith recommended. Its income is of course at all times subject to be appropriated at the discretion of the legislature, and the Commissioners are of opinion that a portion of it could not be better employed, than in the foundation of an academy in which the whole people of the Commonwealth would have an equal concern, and by which the highest interests of the State and the country will be directly promoted.

The Commissioners, in conformity with the resolution under which they were appointed, subjoin the following plan of the proposed institution, remarking at the same time, that many other subjects of interest and importance connected with military education have been considered by them, which, relating to matters of detail and regulation, they reserve for a final report, should the legislature deem it expedient to take measures for the establishment of the proposed academy.

Respectfully submitted by

EDWARD EVERETT.
JOHN M. FESSENDEN.
WILLIAM S. CLARK.

Boston, 5th January, 1864.

PLAN FOR THE ESTABLISHMENT OF A STATE MILITARY ACADEMY.

BUILDINGS AND GROUNDS.

I. The Academy shall be located away from the immediate vicinity of any city or large town.

II. The grounds appertaining to the Academy shall not be less in extent or area than two hundred acres.

III. The buildings to be erected shall be as follows :—

- 1 Barrack for 240 Cadets, with baths, out-houses, guard-house, &c.
- 1 Chapel with four hundred sittings.
- 1 Building for mess hall, and quarters for twenty persons.
- 1 Building for recitation rooms, library, and offices.
- 1 Building for riding hall and gymnasium, with a stable for thirty horses.
- 1 Hospital with quarters for surgeon.
- 12 Houses for superintendent and instructors.
- 2 Houses for attendants, &c.

The location as proposed will enable the government to keep temptations to wrong doing at a distance, and facilitate correct discipline, and a salutary control of the students.

ORGANIZATION.

IV. The Academy shall be under the supervision of a Board of Trustees, to consist of the Governor of the State, and six other persons to be chosen by the legislature, one of whom shall be replaced in three years, and one, in turn, each subsequent year.

V. The Trustees shall appoint the Superintendent, Professors, Instructors, Assistant Professors, and Surgeon of the Academy.

VI. The Superintendent will have the immediate government of the institution, and will be held responsible for its discipline and good management. He will render to the Trustees all returns, estimates, and communications concerning the Academy.

VII. There shall be attached to the Academy the following Professors, Instructors, and Assistants, viz.:—

- 1 Professor of Military and Civil Engineering.
- 1 Assistant Professor of Military and Civil Engineering.
- 1 Professor of Natural and Experimental Philosophy.
- 1 Assistant Professor of Natural and Experimental Philosophy.
- 1 Professor of Mathematics.
- 3 Assistant Professors of Mathematics.
- 1 Professor of Ethics and English Studies, who shall be Chaplain.
- 1 Professor of Chemistry, Mineralogy, and Geology.
- 1 Professor of Drawing.
- 1 Professor of French.
- 1 Commandant of Cadets, Instructor of Artillery, Cavalry, and Infantry Tactics.
- 2 Assistant Instructors in Artillery, Cavalry, and Infantry Tactics.
- 1 Sword Master.

VIII. The Trustees shall appoint a Treasurer, who, besides the money transactions of the Academy, shall, under the directions of the Superintendent, have charge of the public land and buildings thereon, and all the repairs and improvements of the same, and shall make such purchases for the Academy as may be directed by the Superintendent, and shall make all accounts and returns relative to public property under his charge.

IX. The Trustees shall appoint a Commissary to furnish such articles for the Cadets as the Superintendent shall direct, including clothing, provisions, &c. He shall present his accounts to the Treasurer for settlement monthly.

X. The Superintendent shall appoint a clerk for himself, and have the confirmation of the assistant clerks, one each, appointed by the Treasurer and Commissary.

XI. The Superintendent, the members of the Academic Staff, Surgeon, Treasurer, and Commissary shall be commissioned as officers of the militia of the State, and shall rank according to their grades and dates of appointments. They are not to assume, nor are they subject to be ordered upon, any duty beyond the line of their professions as Superintendent, Instructor, &c., but by the authority of the Governor of the State.

Their assimilated rank shall be as follows :—

1. Superintendent, the rank of Colonel.
2. The Instructor of Tactics and the Professors, regular members of the Academic Board, the rank of Major.
3. The remaining Professors, the first Assistant Professors and the Surgeon, the rank of Captain.
4. All other members of the Staff, the Treasurer and Commissary, the rank of 1st Lieutenant.
5. The Cadets shall be non-commissioned officers of said militia.

XII. It shall be the duty of the Board of Trustees, with the exception of the Governor of the State, to attend the annual examination of the Academy and report to the said Governor for the information of the legislature at the commencement of the next succeeding session, the actual state of the discipline, instruction, police, administration, financial affairs, and other concerns of the institution.

XIII. No compensation shall be made to the Trustees, beyond the payment of their expenses for board and lodging while at the Military Academy, and an allowance not to exceed eight cents per mile for travelling from their homes to the Academy and back to their homes.

XIV. No person who has been a Cadet at the Military Academy, and dismissed, shall ever be appointed a trustee of the institution; nor shall any graduate be so appointed previous to the expiration of seven years from the period of his graduation.

ACADEMIC BOARD.

XV. The Academic Board will be composed as follows :—

The Superintendent,

- “ Instructor of Tactics,
- “ Professor of Engineering,
- “ Professor of Philosophy,
- “ Professor of Mathematics,
- “ Professor of Ethics,
- “ Professor of Chemistry,

and the Professors of Drawing and French only upon matters strictly pertaining to their departments of instruction.

XVI. The Superintendent shall preside at the meetings of the Board, and in his absence, the next senior member.

XVII. The Academic Board shall be convened as often as the Superintendent may judge necessary.

XVIII. A majority of the voting members of the Board shall constitute a quorum for the transaction of business.

XIX. Unless called on by the Superintendent to act upon other matters concerning the Academy, the Academic Board shall confine its duties to the examination of candidates for admission, and of the students at the times prescribed by the regulations; the arrangement, for the approval of the Trustees, of the order of instruction in the several branches of each course of studies and the time to be employed in each branch; the arrangement of the order in which the several classes shall present themselves at the examinations; the deciding on the merits of the Cadets and granting diplomas; the recommendation of the students found deficient, for further trial, also of individuals for restoration to the Academy; the recommendation, for the approval of the Trustees, of the text-books best suited for each department of instruction, giving in each case a succinct statement of the reasons which urge the introduction of a new text-book, or the substitution of one for another; the recommendation for purchase of all such books, maps, models, instruments and apparatus as may be necessary in the different departments of instruction for the purposes of tuition; to reporting from time to time on the system of studies and instruction pursued, and proposing any improvements therein that experience may suggest.

XX. The Superintendent will designate a member of the Academic Board to act as its Secretary and keep a correct record of its proceedings, which record shall be carefully kept in the office of the Superintendent, and transmitted by him to his successor. In case of the absence of the member so designated, at the time a meeting of the Board is held, the presiding officer will then appoint another member to act in said Secretary's stead for the time being.

XXI. Any person connected with the Academy, not a member of the Board, may be required by the Superintendent, in the name of the Board, to attend its meetings for the purpose of giving information, or expressing opinions, but not to vote in any decision of the Board.

ADMISSION OF CADETS.

XXII. The number of Cadets in the Military Academy shall be two hundred, arranged in three distinct annual classes, corresponding with the three years of study ; seventy appointments shall be made the first year, one-half of the vacancies shall be filled the second year ; and the full number completed the third, and every succeeding year.

XXIII. Examinations by the Academic Board for admission into the Academy shall be competitive, for which purpose the Governor and Council shall nominate each year for examination, a number of candidates greater by one-half, than the number of appointments to be made that year ; the nominations to be so made, as near as may be, that each two-hundredth portion of the population of the State shall have its representative in the Academy. In case of the failure of any portion to furnish a candidate, the Governor and Council shall fill the vacancy from the State at large to represent said portion.

XXIV. The State shall pay the travelling expenses and board at the Academy, of nominees examined and not excepted.

XXV. The nomination of candidates shall be made annually between the 15th of March and the 15th of June. The candidates shall present themselves to the Superintendent of the Academy between the 20th and 25th of June.

XXVI. Candidates for admission in the Military Academy will be examined in reading distinctly ; writing correctly ; English Grammar, to analyze and construe an English sentence correctly ; in Arithmetic, the four ground rules, vulgar and decimal fractions, extraction of square root, and ratios and proportions ; in Algebra, to include quadratic equations of one unknown quantity ; in Plane Geometry ; Descriptive Geography, particularly of the United States, and the History of the United States.

XXVII. No candidate shall be admitted who is under 16, or more than 21 years of age, or who is below 5 feet in height, or who is deformed or afflicted with any disease or infirmity which would render him unfit for the military service, or who may bring with him at the time of presenting himself any disorder of an infectious or immoral character.

XXVIII. No married person shall be a Cadet.

XXXIX. A Medical Board composed of the Surgeon of the Academy, and two other medical men selected by the Governor and Council, shall assemble at the Academy from the 25th to the 30th June annually to examine carefully and thoroughly into the physical qualifications of the candidates for admission.

XXX. No Cadet shall receive his warrant until after the January examination next ensuing his admission, and then only upon the certificate of the Academic Board that he has passed that examination in a satisfactory manner, and that his moral and military conduct previously thereto has in like manner been satisfactory.

XXXI. Each Cadet, before receiving his warrant, shall, in presence of the Superintendent, or some person deputed by him, subscribe an engagement with the consent of his parent, or guardian, that he will serve as an officer of the militia of the State six years, if required by the authorities of the State, and when so required, within twenty-five years after his leaving the Academy, provided his health, or absence from the State does not prevent the service.

It may be deemed expedient that one-half only of the six years service, shall be rendered in a time of peace, with liability to render the remaining three years in time of war.

COURSE OF INSTRUCTION.

XXXII. The studies which shall be pursued, and the instruction which shall be given at the Military Academy are comprised under the following heads :—

1st. Mathematics—This course will comprehend Algebra, Geometry, Trigonometry, Mensuration, Surveying, Descriptive Geometry, Analytical Geometry, and Differential and Integral Calculus as far as applicable to Civil and Military Engineering, and to the elements of Mechanics and Astronomy.

2d. Natural and Experimental Philosophy—To embrace Mechanics, Optics, a short course of Astronomy, including the use of the instruments; and the Steam-Engine; in Mechanics, to have the elements of Statics, Dynamics, Hydrostatics and Hydrodynamics, taught by the simplest methods, avoiding a too complicated course of Analytical Mechanics.

3d. Military and Civil Engineering and the Science of War—Field Fortifications, embracing their construction, and their attack and defence; a general outline of permanent Fortification; Military Bridges; a short course on the Military Art, on the organization and military administration of armies, on outpost duties; the principles of grand tactics, and strategy, illustrated by one or two historical campaigns; the use of telegraphic and other signals.

Civil Engineering—Comprising building materials, masonry, carpentry, bridges, roads, railroads, canals, river and harbor constructions; the theory and description of mechanism and machines; the principles of architecture.

4th. Chemistry, Mineralogy, and Geology, with special reference to their practical applications.

5th. Ethics, &c.—To embrace practice in English composition, and in the use of the vocal organs; Moral Philosophy and Political Science, especially the Constitution of the United States.

6th. Drawing, confined to the pencil and the pen in Topography, Landscape and Figures.

7th. The French Language, translating French into English.

8th. Artillery Tactics; Description of the different kinds and parts of Artillery, gun carriages, caissons, &c., of artillerists' implements, and military projectiles, exercise of field-piece and of mortars, howitzers, &c., manœuvres of a field battery of artillery and mechanical manœuvres; target practice; a short course of pyrotechny, including the making of all kinds of cartridges.

9th. Cavalry Tactics, comprising the schools of the trooper mounted, of the platoon, and of the squadron.

10th. Infantry Tactics, and Military Police—This course will conform to the system of infantry tactics, and military police established for the government of the United States Army, and will embrace the schools of the soldier, company and battalion, the evolutions of the line, the manual exercise, and manœuvres of Light Infantry, and Riflemen, together with the police of camp and garrison.

11th. The Use of the Sword.

XXXIII. The foregoing course of instruction will be completed in three years; the parts assigned to each of which shall be arranged by the Academic Board, subject to the approval of the Board of Trustees.

XXXIV. During the month of July and August, the Cadets shall be encamped, and the instruction shall be exclusively military—during the remaining ten months of the Academic year, instruction shall be given in all the courses.

In the course of instruction here presented, the aim has been to reduce the theoretical studies to those strictly necessary to practical applications, and give more time to the applications; provision is made for any change desirable in the course, which is recommended as ample, at least for the commencement of the institution; hereafter it may be thought best to add to it, and also to raise the standard for admission. Among the stimulants to study and good behavior will be the standing on the merit rolls at the annual examination; the monthly and weekly merit rolls; the first sent to the parents; certificates or diplomas as to fitness for staff duties, and the different corps of the Army; the best scholars to the highest duties, or corps; perhaps medals also; and certainty of dismissal for misconduct, or deficiency in any branch of the studies. Each class will be divided into several sections; the more profound and difficult investigations of the course, especially in mathematics, being reserved for the higher sections; this will enable all to be proficient, the lower sections not being discouraged from making progress by these investigations,—transfers will be made from higher to lower, and from lower to higher sections, as they go on with their studies—an ever active stimulant.

The requirement to wear a uniform, and a strict enforcement of regulations with regard to a very limited supply of spending money from their friends, besides being advantageous in other respects, will prove in this, as it has in similar institutions, great aids to good discipline, and a manly equality among the members of the Academy.

OTHER REGULATIONS FOR THE ACADEMY.

The Commissioners present the foregoing plan for the buildings and organization of a State Military Academy, and the admission of Cadets thereto; the course of studies to be pursued, and the instruction to be given at the Academy. They do not think it requisite to enter into further details of regulations for the management of the institution, especially as there is so excellent a model for them, in those of the United States Military Academy at West Point, the merits of which are readily admitted to be chiefly due to

Colonel S. Thayer, of the United States Army, a citizen of Massachusetts, under whose wise government that institution attained its high standing as a Military and Scientific School. These regulations embrace, among other matters, the classification of the Cadets; the manner of giving instruction; the division of time for the different studies and recitations, for recreation, &c.; the interior police and discipline of the Academy; the general examination; the graduation; the merit and conduct rolls; forms for reports, &c.; religious exercises; library; leaves of absence; uniform; accounts; disbursements; and the boarding and clothing of the cadets—the adaptation of which, it would be the duty of the Superintendent or Academic Board to determine and arrange.

EXPENSE OF THE ACADEMY.

It is estimated that the cost of the buildings and land; the necessary models, maps, instruments, apparatus, &c.; the furniture for the barrack and other buildings, except the dwelling houses; the horses for cavalry and artillery drill, &c., and other necessary items, will amount to \$175,000, to wit:—

Buildings,*	143,000 00
Land,	10,000 00
Furniture,	5,000 00
Models, Apparatus, &c.,	10,000 00
Horses,	4,000 00
Other items,	3,000 00
	\$175,000 00

*The buildings to be chiefly of brick or stone, or estimated at fair ordinary prices as follows:

Barrack, 3 stories, 300 by 50 feet, with basement for 30 bathing rooms, furnaces, coal, &c.,	\$38,000 00
Chapel, 67 by 50,	7,000 00
Mess-hall, part two and part three stories, 130 by 38,	13,000 00
Building for recitation-rooms, library, and offices, 2 stories, 100 by 48,	12,000 00
Riding-hall and gymnasium, 200 by 60, with stable,	9,000 00
Hospital, 2 stories, 50 by 38,	6,000 00
Twelve houses for Superintendent and Instructors; to wit, 1 at \$5,000, 5 at \$4,500, and six at \$3,500,	48,500 00
Two houses for attendants, &c.,	5,000 00
Contingencies,	4,500 00
Total,	\$143,000 00

Military equipments to be furnished by the Commonwealth.

The Commissioners have received information which leads them to believe that one-half, or perhaps the greater part of this sum will be given in money and land to the State to secure the location of the Academy.

The annual expense is estimated at \$56,000, to wit:—

Pay of Superintendent, Instructor of Tactics, 7 Professors, and 7 assistants, ...	*\$26,000 00
Pay of Surgeon, Treasurer, and Clerk, Clerk of Superintendent and Sword Master, ...	5,000 00
Pay of 7 musicians, who will assist in cavalry drill, &c., ...	2,800 00
Pay of 12 attendants for the barrack and other buildings, Hospital Steward, library, barber, shoeblack and stablemen, ...	4,800 00
Keeping and depreciation of horses, ...	3,800 00
Repairs of buildings, ...	3,000 00
Heat and light, except for mess-hall and dwellings, ...	4,000 00
Books, drawing materials, &c., for the Cadets, ...	4,000 00
Travel and board of nominees not accepted, ...	500 00
Other items, ...	2,100 00
	\$56,000 00

Dwelling-houses or quarters are furnished in addition to the pay specified above.

The Commissioners recommend that the expense to be paid by each Cadet be limited to the cost of his boarding, clothing, washing, and a few articles for his room, the whole amount of which should not exceed \$250 per annum.

The Commissary will contract and provide for the provisions, clothing, washing, &c., for the Cadets, which he will charge to them at cost, together with a suitable compensation for the services of himself and assistant.

If the State should pay one-half of the \$175,000 cost of the buildings, land, &c., the interest on this half, and a fair allowance for depreciation, added to the annual expense as above, would make the yearly cost to the State of each cadet, \$320.

* Pay of Superintendent, \$3,000; Instructor of Tactics and five Professors, \$2,000 each; two Professors, \$1,500 each; seven assistants, \$1,000 to \$1,200 each, \$8,000; Surgeon and Treasurer, \$1,500 each; Sword Master, \$900; two Clerks, \$550 each.

If it should be deemed advisable, following the plan of the Polytechnic School in Paris, and other leading military schools of Europe, that the State should pay the whole or part of the annual expense of a portion of the Cadets, the parents of whom can prove themselves unable to maintain their children in the Academy, such aid extended, say to one-ninth in full, or \$250 each; to another one-ninth, one-half, or \$125 each; and to another one-ninth, one-fourth, or \$62.50 each, would amount to about \$10,000, and increase the annual cost of each to the State, to \$370, affording relief to one-third of the whole number in the institution. If it should be thought that the one-fourth aid is too small to be sought for, the same sum might be appropriated to giving full aid to one-eighth, and half aid to another one-eighth, making the beneficiaries one-fourth of the whole number. The beneficiaries are to be known as such only to the Governor and Council.

RESOURCES OF THE COMMONWEALTH FOR THE SUPPORT OF THE ACADEMY.

The State School Fund, and the Flats of the Commonwealth, are the most prominent, if not the only sources, to which we can look for income to meet the annual expense of the Military Academy. The State Commissioners who have the matter in charge, have not as yet, reported on the disposition of the flats; so that no calculation can now be made with regard to them. Their value is variously estimated at from one to five millions of dollars. From the School Fund, however, the necessary means may be obtained.* On the 1st of January, 1863, it amounted to \$1,585,165.32; the income of which the last year was \$98,248.27. There have been added to the fund since that date, from the Back Bay Lands, \$279,457.88; from surplus of income, \$6,347.78, making the amount at this time \$1,870,970.98. It is estimated that the further proceeds to be received from the Back Bay Lands will increase the fund to at least three and a quarter millions of dollars, the income of which would amount to nearly \$200,000, a sum much more than sufficient to meet an expenditure for educational purposes equal that of the past year, and the support of the Military Academy as herein proposed.

